

LOAN
SCIP

APPLICATION FOR FINANCIAL ASSISTANCE

Revised 4/99

CBIII

IMPORTANT: Please consult the "Instructions for Completing the Project Application" for assistance in completion of this form.

SUBDIVISION: Harrison

CODE# 061- 33838

DISTRICT NUMBER: 2 COUNTY: Hamilton DATE: 09/17/2004

CONTACT: James Leslie PHONE # (513) 367-2111

(THE PROJECT CONTACT PERSON SHOULD BE THE INDIVIDUAL WHO WILL BE AVAILABLE ON A DAY-TO-DAY BASIS DURING THE APPLICATION REVIEW AND SELECTION PROCESS AND WHO CAN BEST ANSWER OR COORDINATE THE RESPONSE TO QUESTIONS)

FAX (513) 367-3592 E-MAIL jiml@harrisonoh.org

PROJECT NAME: State Street/Campbell Road Sanitary Sewer Improvements

SUBDIVISION TYPE
(Check Only 1)

- ☐ 1. County
- ☒ 2. City
- ☐ 3. Township
- ☐ 4. Village
- ☐ 5. Water/Sanitary District
(Section 6119 O.R.C.)

FUNDING TYPE REQUESTED
(Check All Requested & Enter Amount)

- ☐ 1. Grant \$
- ☒ 2. Loan \$2,325,000.00
- ☐ 3. Loan Assistance \$

PROJECT TYPE
(Check Largest Component)

- ☐ 1. Road
- ☐ 2. Bridge/Culvert
- ☐ 3. Water Supply
- ☒ 4. Wastewater
- ☐ 5. Solid Waste
- ☐ 6. Stormwater

TOTAL PROJECT COST: \$ 2,463,500.00

FUNDING REQUESTED: \$ 2,325,000.00

DISTRICT RECOMMENDATION
To be completed by the District Committee ONLY

GRANT: \$ _____ LOAN ASSISTANCE: \$ _____
SCIP LOAN: \$ 2,325,000 RATE: 0 % TERM: 20 yrs.
RLP LOAN: \$ _____ RATE: _____ % TERM: _____ yrs.

(Check Only 1)

- ☒ State Capital Improvement Program
- ☐ Local Transportation Improvements Program
- ☐ Small Government Program

2004 SEP 17 PM 3:14
OFFICE OF NEW BURLINGTON
COUNTY ENGINEER

FOR OPWC USE ONLY

PROJECT NUMBER: C _____ / C _____
Local Participation _____ %
OPWC Participation _____ %
Project Release Date: ____ / ____ / ____
OPWC Approval: _____

APPROVED FUNDING: \$ _____
Loan Interest Rate: _____ %
Loan Term: _____ years
Maturity Date: _____
Date Approved: ____ / ____ / ____
SCIP Loan _____ RLP Loan _____

1.0 PROJECT FINANCIAL INFORMATION

1.1 PROJECT ESTIMATED COSTS:
(Round to Nearest Dollar)

TOTAL DOLLARS

FORCE ACCOUNT
DOLLARS

a.) Basic Engineering Services:

\$ 72,500.00

Preliminary Design	\$ <u>4,000.00</u>
Final Design	\$ <u>44,500.00</u>
Bidding	\$ <u>8,000.00</u>
Construction Phase	\$ <u>16,000.00</u>

Additional Engineering Services
*Identify services and costs below.

\$ 58,000.00

b.) Acquisition Expenses:
Land and/or Right-of-Way

\$ N/A .00

c.) Construction Costs:

\$ 2,113,260.00

d.) Equipment Purchased Directly:

\$ N/A .00

e.) Permits, Advertising, Legal:
(Or Interest Costs for Loan Assistance
Applications Only)

\$ 8,000.00

f.) Construction Contingencies:

\$ 211,740.00

g.) TOTAL ESTIMATED COSTS:

\$ 2,463,500.00

*List Additional Engineering Services here:
Service:

Field Observation during Construction

Cost: \$58,000.00

1.2 PROJECT FINANCIAL RESOURCES:

	DOLLARS	%
a.) Local In-Kind Contributions	\$ <u> .00</u>	
b.) Local Revenues	\$ <u>138,500.00</u>	
c.) Other Public Revenues	\$ <u> .00</u>	
ODOT	\$ <u> .00</u>	
Rural Development	\$ <u> .00</u>	
OEPA	\$ <u> .00</u>	
OWDA	\$ <u> .00</u>	
CDBG	\$ <u> .00</u>	
OTHER _____	\$ <u> .00</u>	
SUBTOTAL LOCAL RESOURCES:	\$ <u>138,500.00</u>	
d.) OPWC Funds		
1. Grant	\$ <u> .00</u>	
2. Loan	\$ <u>2,325,000.00</u>	
3. Loan Assistance	\$ <u> .00</u>	
SUBTOTAL OPWC RESOURCES:	\$ <u>2,325,000.00</u>	
e.) TOTAL FINANCIAL RESOURCES:	\$ <u>2,463,500.00</u>	<u>100%</u>

1.3 AVAILABILITY OF LOCAL FUNDS:

Attach a statement signed by the Chief Financial Officer listed in section 5.2 certifying all local share funds required for the project will be available on or before the earliest date listed in the Project Schedule section.

ODOT PID# _____ Sale Date: _____
 STATUS: (Check one)
 Traditional
 Local Planning Agency (LPA)
 State Infrastructure Bank

2.0 PROJECT INFORMATION

If project is multi-jurisdictional, information must be consolidated in this section.

2.1 PROJECT NAME: State Street/Campbell Road Sanitary Sewer Improvements

2.2 BRIEF PROJECT DESCRIPTION - (Sections A through C):

A: SPECIFIC LOCATION:

Sanitary Sewer along 2,370 feet of Campbell Road, east of State Street; State Street between Campbell and Sunset Avenue; Sunset Avenue, Etta Avenue and Westfield Avenue.

PROJECT ZIP CODE: 45030

B: PROJECT COMPONENTS:

12-inch and 8-inch PVC sewer pipe; 6-inch service connections; 4-foot and 6-foot diameter manholes; catch basin; 6"-24" replacement storm sewer; asphalt concrete & Portland cement concrete pavement replacement; granular backfill.

C: PHYSICAL DIMENSIONS / CHARACTERISTICS:

2,131 lineal feet (lf) of 12-inch sewer pipe and appurtenances; 3,713 lf of 18-inch sewer pipe and appurtenances.

D: DESIGN SERVICE CAPACITY:

Detail current service capacity vs. proposed service level.

Current: 0.6 MGD Average Daily Flow; 1.8 MGD Peak Hourly Flow.

Proposed: 0.7 MGD Average Daily Flow; 2.1 MGD Peak Hourly Flow, in accordance with Ohio EPA design criteria.

Road or Bridge: Current ADT _____ Year: _____ Projected ADT: _____ Year: _____

Water/Wastewater: Based on monthly usage of 7,756 gallons per household, attach current rate ordinance. Current Residential Rate: \$ 39.03 Proposed Rate: \$ 42.98 as of 01/01/2005

Stormwater: Number of households served: _____

2.3 USEFUL LIFE / COST ESTIMATE: Project Useful Life: 50 Years.

Attach Registered Professional Engineer's statement, with original seal and signature confirming the project's useful life indicated above and estimated cost.

3.0 REPAIR/REPLACEMENT or NEW/EXPANSION:

TOTAL PORTION OF PROJECT REPAIR/REPLACEMENT \$ 2,463,500.00

TOTAL PORTION OF PROJECT NEW/EXPANSION \$.00

4.0 PROJECT SCHEDULE: *

	BEGIN DATE	END DATE	
4.1 Engineering/Design:	<u>/ /</u>	<u>/ /</u>	Complete
4.2 Bid Advertisement and Award:	<u>07/13/2005</u>	<u>08/10/2005</u>	
4.3 Construction:	<u>09/06/2005</u>	<u>03/10/2006</u>	
4.4 Right-of-Way/Land Acquisition:	<u>/ /</u>	<u>/ /</u>	N/A

* Failure to meet project schedule may result in termination of agreement for approved projects. Modification of dates must be requested in writing by the CEO of record and approved by the commission once the Project Agreement has been executed. The project schedule should be planned around receiving a Project Agreement on or about July 1st.

5.0 APPLICANT INFORMATION:

5.1 CHIEF EXECUTIVE

OFFICER Daniel J. Gieringer
TITLE Mayor City of Harrison
STREET 300 George Street

CITY/ZIP Harrison, Ohio 45030
PHONE (513) 367-2111
FAX (513) 367-3592
E-MAIL mavorg@harrisonoh.org

5.2 CHIEF FINANCIAL

OFFICER James Satzger
TITLE Finance Director
STREET 112 Walnut Street

CITY/ZIP Harrison, Ohio 45030
PHONE (513) 367-3730
FAX (513) 367-3733
E-MAIL jsatzger@cinci.rr.com

5.3 PROJECT MANAGER

TITLE James Leslie
STREET Public Works Director
300 George Street

CITY/ZIP Harrison, Ohio 45030
PHONE (513) 367-2111
FAX (513) 367-3592
E-MAIL jiml@harrisonoh.org

Changes in Project Officials must be submitted in writing from the CEO.

6.0 ATTACHMENTS/COMPLETENESS REVIEW:

Confirm in the blocks [] below that each item listed is attached.

- [] A certified copy of the legislation by the governing body of the applicant authorizing a designated official to sign and submit this application and execute contracts. This individual should sign under 7.0, Applicant Certification, below. To be submitted by 11/01/2004.
- [X] A certification signed by the applicant's chief financial officer stating all local share funds required for the project will be available on or before the dates listed in the Project Schedule section. If the application involves a request for loan (RLP or SCIP), a certification signed by the CFO which identifies a specific revenue source for repaying the loan also must be attached. Both certifications can be accomplished in the same letter.
- [X] A registered professional engineer's detailed cost estimate and useful life statement, as required in 164-1-13, 164-1-14, and 164-1-16 of the Ohio Administrative Code. Estimates shall contain an engineer's original seal or stamp and signature.
- [] A cooperation agreement (if the project involves more than one subdivision or district) which identifies the fiscal and administrative responsibilities of each participant.
- [] Projects which include new and expansion components and potentially affect productive farmland should include a statement evaluating the potential impact. If there is a potential impact, the Governor's Executive Order 98-VII and the OPWC Farmland Preservation Review Advisory apply.
- [] Capital Improvements Report: (Required by O.R.C. Chapter 164.06 on standard form)
To be submitted by 11/01/2004.
- [X] Supporting Documentation: Materials such as additional project description, photographs, economic impact (temporary and/or full time jobs likely to be created as a result of the project), accident reports, impact on school zones, and other information to assist your district committee in ranking your project. Be sure to include supplements which may be required by your *local* District Public Works Integrating Committee.

7.0 APPLICANT CERTIFICATION:

The undersigned certifies that: (1) he/she is legally authorized to request and accept financial assistance from the Ohio Public Works Commission; (2) to the best of his/her knowledge and belief, all representations that are part of this application are true and correct; (3) all official documents and commitments of the applicant that are part of this application have been duly authorized by the governing body of the applicant; and, (4) should the requested financial assistance be provided, that in the execution of this project, the applicant will comply with all assurances required by Ohio Law, including those involving Buy Ohio and prevailing wages.

Applicant certifies that physical construction on the project as defined in the application has NOT begun, and will not begin until a Project Agreement on this project has been executed with the Ohio Public Works Commission. Action to the contrary will result in termination of the agreement and withdrawal of Ohio Public Works Commission funding of the project.

Mayor Daniel J. Gieringer

Certifying Representative (Type or Print Name and Title)

Daniel J. Gieringer

Signature/Date Signed

STATE STREET / CAMPBELL ROAD SEWER IMPROVEMENTS

HARRISON, OHIO

Items	Quantities	Rate	Amount
<u>Section 02050 - Preconstruction Video Taping</u>			
1 Preconstruction Video Taping	Lump Sum		\$5,871.00
<u>Section 02225 - Trenching and Backfilling</u>			
2 Granular Backfill	10,141 c.y.	\$62.00	\$628,742.00
3 Abandon Existing Sewers	2,363 l.f.	\$12.00	\$28,356.00
4 Abandon Existing Manholes	6 each	\$450.00	\$2,700.00
5 Abandon Existing Lift Station	1 each	\$3,000.00	\$3,000.00
<u>Section 02576 - Existing Pavement and Sidewalk Replacement</u>			
6 Temporary Pavement	2,911 s.y.	\$13.00	\$37,843.00
7 ODOT Item 301 Bituminous Aggregate Base - Trench Replacement	47 c.y.	\$213.00	\$10,011.00
8 ODOT Item 402 Asphalt Concrete Intermediate Course - Trench Replacement	28 c.y.	\$281.00	\$7,868.00
9 ODOT Item 404 Asphalt Concrete Surface Course - Trench Replacement	2 c.y.	\$301.00	\$602.00
10 ODOT Item 452 Plain Portland Cement Concrete Pavement - Trench Replacement	11 c.y.	\$409.00	\$4,499.00
11 ODOT Item 301 Bituminous Aggregate Base - Full Width Replacement	1,819 c.y.	\$65.00	\$118,235.00
12 ODOT Item 402 Asphalt Concrete Intermediate Course - Full Width Replacement	728 c.y.	\$86.00	\$62,608.00
13 ODOT Item 404 Asphalt Concrete Surface Course - Full Width Replacement	364 c.y.	\$92.00	\$33,488.00
14 Concrete Sidewalk Replacement	17 s.f.	\$13.00	\$221.00
<u>Section 02607 - Manhole and Covers</u>			
15 6' Diameter Doghouse Manhole	21 l.f.	\$300.00	\$6,300.00
16 4' Diameter Manholes	317 l.f.	\$210.00	\$66,570.00
17 8 inch Drop Connections	13 l.f.	\$214.00	\$2,782.00

STATE STREET / CAMPBELL ROAD SEWER IMPROVEMENTS

HARRISON, OHIO

Items		Quantities		Rate	Amount
18	Frames and Covers	21	each	\$275.00	\$5,775.00
19	Convert Lift Station to Manhole Including Frame and Cover	2	each	\$3,600.00	\$7,200.00
<u>Section 02608 - Catch Basin Replacement</u>					
20	Catch Basin Including Frame and Grate	2	each	\$1,000.00	\$2,000.00
<u>Section 02732 - Pipe Sewers</u>					
21	18 inch Pipe Sewer, 12'-16' deep	872	l.f.	\$169.00	\$147,368.00
22	18 inch Pipe Sewer, 16'-20' deep	2,498	l.f.	\$177.00	\$442,146.00
23	18 inch Pipe Sewer, 20'-24' deep	343	l.f.	\$185.00	\$63,455.00
24	12 inch Pipe Sewer, 8'-12' deep	594	l.f.	\$161.00	\$95,634.00
25	12 inch Pipe Sewer, 12'-16' deep	1,335	l.f.	\$167.00	\$222,945.00
26	12 inch Pipe Sewer, 16'-20' deep	202	l.f.	\$173.00	\$34,946.00
27	6 inch Service Connection Pipe and Fittings	252	l.f.	\$135.00	\$34,020.00
28	6 inch on 18 inch Sewer Pipe Wyes	18	each	\$300.00	\$5,400.00
29	Reconnect Existing Service Connections	30	each	\$650.00	\$19,500.00
<u>Section 02750 - Existing Sewer and Drain Replacement</u>					
30	6 inch Diameter and Smaller	500	l.f.	\$9.00	\$4,500.00
31	8 inch thru 12 inch Diameter	250	l.f.	\$18.00	\$4,500.00
32	15 inch thru 21 inch Diameter	75	l.f.	\$29.00	\$2,175.00
33	24 inch Diameter and Larger	50	l.f.	\$40.00	\$2,000.00
Subtotal					\$2,113,260.00
Contingencies					\$211,740.00
Total					\$2,325,000.00

PROBABLE COST - 6 JULY 2004

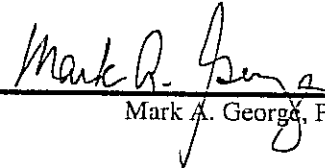
STATE STREET / CAMPBELL ROAD SEWER IMPROVEMENTS

HARRISON, OHIO

Items	Quantities	Rate	Amount
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Estimated Useful Life - 50 years




Mark A. George, P.E.



Infrastructure, buildings, environment, communications

ARCADIS FPS, Inc.
3699 Symmes Road
Hamilton
Ohio 45015
Tel 513 860 8700
Fax 513 860 8701

Mr. William Brayshaw, P.E., P.S.
Hamilton County Engineer
10480 Burlington Road
Cincinnati OH 45231

WATERWASTEWATER

Subject:
Ohio Public Works Commission
SCIP Loan Application for the City of Harrison, Ohio
State Street / Campbell Road Sanitary Sewer Improvements

Date:
September 17, 2004

Dear Mr. Brayshaw:

Contact:
Mark George

Phone:
513-860-8706, ext. 214

Email:
mgeorge@arcadis-us.com

On behalf of the City of Harrison, we are submitting this application for OPWC SCIP loan financing for the State Street / Campbell Road Sanitary Sewer Improvements project. This important infrastructure replacement project will enable the City of Harrison to eliminate three sanitary lift stations and also improve the flow pattern of the existing sewer system, which experiences frequent system backups and periodic flooding of residential basements in the neighborhood served by this sewer subsystem.

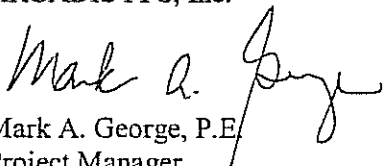
Our ref:
HAHRN036.01H1

This project has already been designed, and is ready for construction after adequate financing is arranged. We request your consideration of OPWC funding for the proposed project. The funding application packet includes the documents listed in the enclosed Submission Checklist.

Thank you for your review of the City of Harrison's application for a SCIP loan for the State Street / Campbell Road Sanitary Sewer Improvements project.

Sincerely,

ARCADIS FPS, Inc.


Mark A. George, P.E.
Project Manager



Copies:
Mayor Daniel J. Gieringer
Public Works Director Jim Leslie
Finance Director Jim Satzger

Part of a bigger picture



City of Harrison

112 N. Walnut Street • Harrison, Ohio 45030 • 513-367-3730

September 17, 2004

I, Finance Director of the City of Harrison, Ohio, hereby certify that the City of Harrison, Ohio, will collect the amount of \$2,350,000 in the Wastewater Fund and that this amount will be used to repay the SCIP or RLP loan requested for the State Street/Campbell Road Sanitary Sewer Improvements Project over a 20 year term.

A handwritten signature in cursive script that reads "James W. Satzger".

James W. Satzger
Finance Director

RESOLUTION NO. 22-04

A RESOLUTION AUTHORIZING MAYOR DANIEL J. GIERINGER
OF THE CITY OF HARRISON TO PREPARE AND SUBMIT
AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS
COMMISSION'S STATE CAPITAL IMPROVEMENT
AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S)
AND TO EXECUTE CONTRACTS AS REQUIRED

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement program both provide financial assistance to political subdivisions for capital improvements to public infrastructure;

WHEREAS, the City of Harrison, Ohio submitted applications to the Program for financing of infrastructure of improvement projects through the Hamilton County Engineer's Office; and

WHEREAS, the application submitted by the City of Harrison, Ohio consists of a State Street/Campbell Road Sanitary Sewer Improvement Project, the New Biddinger Road Water Main Extension Project, and the Sunset and Joyce Avenues Improvements; and

WHEREAS, the infrastructure improvements hereinabove described are to be considered to be a priority need to the community as a qualified product under the OPWC programs.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HARRISON, OHIO, as follows:

SECTION I

Mayor Daniel J. Gieringer is hereby authorized to apply to the OPWC for funds described above.

SECTION II

The Mayor, Law Director and any other City officials are hereby directed and authorized to take all necessary actions in the execution and furtherance of the application with the Ohio Public Works Commission for the financing of the State Street/Campbell Road Sanitary Sewer Project, the New Biddinger Road Water Main Extension Project, and the Sunset and Joyce Avenue Improvements.

SECTION III

It is found and determined that all formal action of this Council concerning or related to the adoption of this Ordinance were adopted in an open meeting of this Council, and all deliberations of this Council and any of its committees, if any, that resulted in such formal actions were adopted in meetings open to the public, in compliance with all applicable legal requirements of the Ohio Revised Code.

Dated October 19, 2004.

Daniel J. Gieringer
Daniel J. Gieringer, Mayor

ATTEST:

Carol Wiwi
Carol Wiwi, Clerk

CERTIFICATION

I, Carol Wiwi, as Clerk of the Council of the City of Harrison, Ohio, hereby certify that a true and exact copy of Ordinance No. 22-04 was passed by the Council of the City of Harrison, Ohio at its regular meeting held on the 19 day of October, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Harrison, Hamilton County, Ohio this 19 day of October, 2004.

Carol Wiwi
Carol Wiwi, Clerk

This Ordinance was prepared by William M. Deters II, Director of Law

OLD ST RT 52

NEW BIDDINGER
RD.

COMMUNITY CENTER
300 GEORGE STREET
(CITY OFFICES)

SANDUSKY DR.

STATE RD.

CITY OF

PROJECT
LOCATION

CAMPBELL
INDIANA

INDUSTRY
RD.

*Could Not Locate
1241571M.*

(DEARBORN CO., INDIANA)
(HAMILTON CO., OHIO)

AND
RD.

CORP LINE

CHAPTER 935 Sewer Regulations and Rates

GENERAL

935.01 Provision of utility services restricted.

935.02 Repair, operation and maintenance of private and public sewer lines.

SEWER CONNECTION

REGULATIONS AND CHARGES

935.03 Sewer connection permit required; application.

935.04 Connection to be made by authorized, licensed person.

935.05 Permit specifications.

935.06 Enforcement of regulations; inspection.

935.07 Permit fees to be paid to sewer fund.

935.08 Connection; discharge fee required.

935.09 Sanitary sewer system access fees.

935.10 Nonconnected sewer users not exempted from sewerage charges.

935.11 Revenues to be placed in Sewer Fund.

SEWER RATES AND CHARGES

935.12 Definition.

935.13 Monthly sewer rates.

935.14 Charges for multi-purpose buildings.

935.15 Disputed billing.

935.16 Meters for nontreated water.

935.17 Charges to be billed monthly.

935.18 Delinquent bills; cut-off service.

935.19 Involuntary shut-off procedure.

935.20 Service charge for bad checks. (Repealed)

INDUSTRIAL USE

935.21 Purpose and policy.

935.22 Definitions.

935.23 Regulations.

935.24 Fees; surcharges.

935.25 Administration.

935.26 Enforcement.

935.27 Records retention.

935.28 Recovery of costs incurred by the authority.

935.29 Falsifying information.

935.98 Civil Penalty.

935.99 Penalty.

CROSS REFERENCES

Power to construct sewerage system - see Ohio R.C. 715.40, 717.01

Compulsory sewer connections - see Ohio R.C. 729.06

Sewerage rates - see Ohio R.C. 729.49 (by Council)

Management and control of sewerage system - see Ohio R.C. 729.50

Regulations to control house sewers and connections - see Ohio R.C. 729.51

Weekly deposit of sewer rentals collected - see Ohio R.C. 729.52

Untreated sewage - see Ohio R.C. 3701.59

Interference with sewage flow - see Ohio R.C. 4933.24

Sewerage districts - see Ohio R.C. 727.44 et seq.

Assessments - see Ohio R.C. Ch. 729

Household sewage disposal systems - see OAC Ch. 3701-29

GENERAL

935.01 PROVISION OF UTILITY SERVICES RESTRICTED.

(a) It is the policy of the City that utility services, including sewer utilities, shall only be furnished to those properties which are located within the corporate limits of the City.

(b) In the event a property owner outside the corporate boundaries of the City wishes to acquire utility services provided by the City, annexation proceedings by the property owner must be completed pursuant to state law prior to the provision of utility services. (1993 Code 52.02)

935.02 REPAIR, OPERATION AND MAINTENANCE OF PRIVATE AND PUBLIC SEWER LINES.

(a) Definitions. For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PRIVATE SEWER. A sewer which is located on public or private property and is used exclusively to serve one or more parcels of private property.

PUBLIC SEWER. All other sewer lines located in the City.

- (b) (1) The owner of the premises served by a private sewer shall be responsible for the maintenance, operation, repair, cleaning and reconstruction of the private sewer from the building to the point of connection with the public sewer.
- (2) Repair, maintenance, cleaning, reconstruction and operation of the public sewer in a public right-of-way shall be the responsibility of the City.

(c) In the event of a disagreement between the City and a private property owner as to the responsibility for repair, reconstruction or maintenance of a sewer line, proof of responsibility shall be established by requiring a written statement from a sewer cleaner contractor as to the cause of the sewer malfunction. The City shall have the right to verify the sewer cleaner constructor's finding prior to beginning repair or reconstruction. A property clean-out must be in place prior to such repair or reconstruction by the City. (1993 Code 52.03)

SEWER CONNECTION REGULATIONS AND CHARGES

935.03 SEWER CONNECTION PERMIT REQUIRED; APPLICATION.

No house sewer or sewer from any business house or public building shall be constructed to connect with a public sewer nor shall any connection be made to a public sewer within the City until the written permission of the Director of Public Works has been obtained by the person, firm, or corporation employed to perform the work, or by the owner of the property. An application for a permit signed by the owner, agent, or lessee of the property for which the connection is to be made and by the person, firm, or corporation employed to perform the work shall be filed with the Director. It shall describe the property and state the fixtures to be connected and shall be accompanied by a fee as provided by ordinance. (1993 Code 52.10)

935.04 CONNECTION TO BE MADE BY AUTHORIZED, LICENSED PERSON.

No house sewer or other sewer shall be constructed or connected to a public sewer by any person who has not been authorized or licensed to perform such work.
(1993 Code 52.11)

935.05 PERMIT SPECIFICATIONS.

The written permission to construct a house sewer or other sewer or to make a connection to a public sewer shall specify the permissible use of such house sewer and connection and such specifications shall be governed by the following requirements:

- (a) Sewage including wastes from water closets, urinals, lavatories, sinks, bath tubs, showers, laundries, cellar floor drains, garage floor drains from a public garage, bars, soda fountains, cuspidors, drinking fountains, stable floor drains, and other objectionable wastes shall be discharged into a sanitary sewer and in no case into a storm sewer.
- (b) Industrial waste shall not be discharged into a storm water sewer but may be discharged into a sanitary sewer if the waste is of such character as not to be detrimental to the sewer system or to the sewage treatment works. Where such waste is detrimental to the sewer system or to the sewage treatment works, it shall otherwise be disposed of in a satisfactory manner or so improved in character as not to be detrimental to the sewer system or sewage treatment works.
- (c) Surface water, rain water from roofs, subsoil drainage, building foundation drainage, cistern overflow and other clean, and unobjectionable waste water may be discharged into a storm sewer, but in no case into a sanitary sewer.
- (d) Connection with a cesspool or a privy vault shall not be made into a sanitary or storm water sewer.
- (e) A trap for the interception of grease and oil shall be provided on a connection from a hotel, restaurant, club, saloon, or institutional kitchen and from a public garage or automobile service station. Such trap shall be satisfactory to the County Plumbing Inspector.
- (f) It shall be unlawful for any person to discharge into a house sewer or to tap into a house sewer or other sewer for the purpose of discharging into it any waste or drainage water prohibited by the provisions of this section. Any existing connection in violation of the provisions of this section shall be abandoned and removed. (1993 Code 52.12)

935.06 ENFORCEMENT OF REGULATIONS; INSPECTION.

The Director of Public Works is authorized and directed to adopt and enforce regulations and specifications in accordance with this subchapter for the purpose of providing control of the installation of sewer connections and inspection thereof. The Director of Public Works shall maintain accurate and complete records of all permits issued for an inspection made of the connections to the public sewers. He shall also require the abandonment and removal of connections to the public sewers which violate the provisions of this subchapter.
(1993 Code 52.13)

935.07 PERMIT FEES TO BE PAID TO SEWER FUND.

All fees collected from sewer permits or other matters in connection with the sewers shall be placed in a fund for the upkeep, improvement or extension of the sewers.
(1993 Code 52.14)

935.08

STREETS, UTILITIES AND PUBLIC SERVICES CODE

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935.08 CONNECTION; DISCHARGE FEE REQUIRED.

(a) Before any person connects to or discharges sewage into the sewer system or extends the use of the sewer system on his premises to additional dwelling, commercial, manufacturing, or other units, he shall pay to the City a fee for connecting to and discharging sewage into the sewer system.

(b) Unless otherwise approved by Council, each building using water shall have its own connection to the sewer system.

(c) All connections shall be made in accordance with the County Department of Building and Department of Health and the rules and regulations of this City.
(1993 Code 52.15)

935.09 SANITARY SEWER SYSTEM ACCESS FEES.

The fee for accessing the sanitary sewer system in the City shall be as follows:

(a) For access to a sanitary sewer where the City does not participate in the cost of construction of said sanitary sewer:

(1) Residential:

A. Single family dwelling: \$2,400.00

B. Multiple family dwelling: Based on the size of the water service entry branch for the first unit, plus \$650.00 per each additional unit.

(2) Hotel/motel:

Based on the size of the water service entry branch for the first unit, plus \$325.00 per each additional unit.

(3) Commercial/industrial:

Fees to be based on the size of the water service entry branch as follows:

<u>Inches</u>	<u>Fee</u>
5/8 - 3/4	\$ 2,400.00
1.0	4,300.00
1.5	8,000.00
2.0	16,000.00
3.0	35,000.00
4.0	50,000.00
6.0	100,000.00
8.0	225,000.00

(Ord. 10-03. Passed 3-18-03.)

(b) For access to a sanitary sewer where the City participates in the cost of construction of said sanitary sewer: twice the charges specified in division (a).

(c) The access fee for a multiple purpose building shall be based on the number of residential units plus the commercial/industrial fees as specified in division (a) or (b) above.

(d) Access fees not enumerated shall be determined by the Utilities Committee of Council and in proportion to fees for uses shown above. The Utilities Committee of Council shall hear and decide appeals from determination of fees.

(e) An additional fee shall be charged for each unit created or added to a consumer's premises in excess of the number for which access fees have been paid to the City and shall be calculated as additional units. Additional fees for commercial/industrial additions or expansions shall be charged only if the size of the water service entry branch is increased or an additional water service entry branch is added. If the water service entry branch size is increased, fees shall be calculated based on the difference of fees for the existing size and the new size. Additional water service entry branches will be charged the same as specified in divisions (a) and (b) above. (Ord. 39-2001. Passed 8-21-01.)

935.10 NONCONNECTED SEWER USERS NOT EXEMPTED FROM SEWERAGE CHARGES.

Where a sanitary sewer is available to property in the City, each sewer used, whether connected to said sewer or not, shall be billed the full amount for sewerage based on water usage, and using the sewerage charges then in effect. Failure to connect to the sanitary sewer, as required by law, shall not exempt a sewer user from the aforesaid.
(1993 Code 52.17)

935.11 REVENUES TO BE PLACED IN SEWER FUND.

All income and revenue derived from or obtained from the charges herein established, shall be placed in the Sewer Fund and expenditures from the Fund shall be for capital improvements to the existing sewer system; for payments on principal and interest on sewerage system bonds; for expansion of the current system; or as otherwise authorized by Council by ordinance. (1993 Code 52.18)

SEWER RATES AND CHARGES**935.12 DEFINITION.**

For the purpose of this subchapter the following definition shall apply unless the context clearly indicates or requires a different meaning.

USER. Each single family dwelling, house-trailer, mobile home, business, or each unit of a duplex, double-house, apartment building, multi-purpose building, or the like.
(1993 Code 52.31)

935.13 MONTHLY SEWER RATES.

- (a) (1) The following shall be the monthly rates for the supplying of sewer system services by the City, based on metered water consumption, or as otherwise furnished to the premises:

<u>Effective Date</u>	<u>Minimum Charge First 2,000 Gallons</u>	<u>Additional 1,000 Gallons</u>
June 1, 2003	\$9.16	\$4.58
Jan. 1, 2004	10.08	5.03
Jan. 1, 2005	11.09	5.54
Jan. 1, 2006	12.75	6.37
Jan. 1, 2007	13.13	6.56
(Ord. 10-03. Passed 3-18-03.)		

- (2) For those users of the sewage treatment system discharging effluent to the system which is not metered through water consumption, the above rates shall apply based upon estimated flow to the sewage treatment system as determined by the Director of Public Works.
(Ord. 41-98. Passed 11-17-98.)

(b) With the only exceptions being those so stipulated in Sections 935.06 to 935.09 and 935.20 to 935.24, the above rates and charges shall be applied as follows:

(1) Inside corporation limits.

- A. The foregoing rates shall apply to all owners of improved property within the corporate limits, for which sewer service is available whether or not such property is connected to the system.
- B. A single user, metered as such, shall be billed on the metered water consumption.
- C. Where one meter is used to meter water consumption collectively for:
 - 1. One or more apartment buildings;
 - 2. One or more multi-tenant buildings;
 - 3. One or more multi-purpose buildings;
 - 4. A house-trailer or mobile home court or park, or any combination thereof, the monthly charge shall be the greater of:
 - a. The number of users times the minimum rate; or
 - b. If the metered water consumption is in excess of the number of users times 2,000 gallons (minimum), the charge shall be the number of users times the minimum rate plus the applicable rate for water consumption in excess of the total allowable minimum gallonage.
- D. When required, the owner, lessee or manager of the aforementioned shall advise the Director of Public Works of the number of users located therein or thereon for one day or more of a given billing period.

- (2) Outside corporation limits. The rates charged to users outside corporation limits shall be the same as those within the corporation limits, plus 30%, except users in Indiana and those now under contract with the City or who may hereafter be covered by contract. (1993 Code 52.32)

935.14 CHARGES FOR MULTI-PURPOSE BUILDINGS.

In the event a multi-purpose building is occupied and used in its entirety by its owner or lessee, the owner or lessee shall be billed on the metered usage. For each unit of a multi-purpose building not occupied or used by the owner or lessee, the owner or lessee shall also be charged the minimum for each such unit. (1993 Code 52.33)

935.15 DISPUTED BILLING.

Should a request for consideration of a sewer billing be deemed reasonable by the City, one-half of the billing shall be paid, when due, pending final disposition by the City. The decision of the City shall be final and the balance owed, if any, shall be paid within seven days, or, a refund, if any, shall be paid within seven days. It is to be understood that any decision by the City shall not necessarily establish a precedent for any future request for the consideration of a sewer billing. (1993 Code 52.34)

935.16 METERS FOR NONTREATED WATER.

Where water not requiring treatment is used by the owner of property located within or without the corporate limits and such water is not discharged into the sanitary sewer system, upon application made by such user to the Director of Public Works and the provision of proof of such condition satisfactory to the Director of Public Works, the Director of Public Works may authorize the installation of a separate meter to measure and charge for the water so used without adding the sewer system charge. Such installation shall be made solely at the expense of the applicant property owner. (1993 Code 52.35)

935.17 CHARGES TO BE BILLED MONTHLY.

Charges for services furnished to the inhabitants of the City and to other users of the sewer system by the system shall be rendered and collected monthly by the Utilities Office on the same bill and at the same time as charges for water service, and the payment of the water charge may not be accepted without payment of the sewer charge. (1993 Code 52.37)

935.18 DELINQUENT BILLS; CUT-OFF SERVICE.

(a) All sewer service furnished by the City through its sewer system to the inhabitants and other users, shall be billed and paid in accordance with the provisions of this subchapter, and no free service shall be furnished to any user except the City. (1993 Code 52.38)

(b) Should the bill for any service rendered by the sewer system remain unpaid for a period of 60 days, the Utilities Office is authorized to cut off such service, upon prior notice to the user in accordance with the Public Works Department policy set forth in Section 935.19. (Ord. 38-2000. Passed 11-21-00.)

935.19 INVOLUNTARY SHUT-OFF PROCEDURE.

(a) For purposes of this section, "User not responsible for the payment of charges for sewer service" is defined as any occupant of the premises served not a member of the household of the customer in default (in the case of residential customers), or any occupant not an agent or employee of the customer responsible in the case of commercial establishments.

(b) The Department of Public Works shall not discontinue service for nonpayment of sewer bills without giving the customer in default, whether or not such customer be a landlord, owner, or others, at least seven calendar days prior written notice thereof.

(c) At least seven calendar days before discontinuing service to any user not responsible for the payment of charges for sewer service, the Department of Public Works shall post notice conspicuously upon the premises served of its intent to terminate service and the termination date.

(d) When the premises are occupied by a single family or a single commercial establishment and the bill is directed to the premises, it shall be presumed that the occupant is the user responsible for payment.

(e) In the event the sewer bill remains unpaid after the giving of the seven days notice prescribed herein, the Director of Public Works shall have the authority to authorize the discontinuance of services to the customer in default of the payment of the bill.

(f) When service has been disconnected as a result of the nonpayment of a sewer bill pursuant to this section, there shall be a service charge assessed against the customer requiring reconnection. The service charge shall be established by the Director of Public Works and shall be payable prior to the reconnection of service.

(1993 Code 52.39)

(g) Each sewer charge levied is hereby made a lien upon the premises charged therewith, and if the same is not paid within 60 days after it shall become due and payable, it may be certified to the Auditor of Hamilton County, Ohio by the Director of Finance, who shall place the same on the tax duplicate, with the interest and penalties allowed by law, and be collected as other municipal taxes are collected. This certification shall not be in lieu of any other remedies the City may have to collect the delinquent charges.

(Ord. 38-2000. Passed 11-21-00.)

935.20 SERVICE CHARGE FOR BAD CHECKS.

(EDITOR'S NOTE: Former Section 935.20 was repealed by Ordinance 38-2000, passed November 21, 2000.)

INDUSTRIAL USE

935.21 PURPOSE AND POLICY.

(a) This subchapter sets forth uniform requirements for dischargers into the POTW authority wastewater collection and treatment systems, and enables the authority to protect public health in conformity with all applicable local, state, and federal laws relating thereto.

(b) The objectives of this subchapter are:

- (1) To prevent the introduction of pollutants into the authority wastewater system which will interfere with the normal operation of the system or contaminate the resulting municipal sludge.
- (2) To prevent the introduction of pollutants into the authority wastewater system which do not receive adequate treatment in the POTW, and which will pass through the system into receiving waters or the atmosphere or otherwise be incompatible with the system.
- (3) To improve the opportunity to recycle and reclaim wastewater and sludge from the system.

(c) This subchapter provides for the regulation and discharges into the authority wastewater system through the enforcement of administrative regulations. This subchapter does not provide for the recovery of operations, maintenance, or replacement costs of the POTW or the costs associated with the construction of collection and treatment systems used by industrial dischargers, in proportion to their use of the POTW, which are the subject of separate enactments.

(1993 Code 52.45)

935.22 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or person requires a different meaning.

ACT. The Clean Water Act (33 U.S.C. 1251 et seq.), as amended.

APPLICABLE PRETREATMENT STANDARD. Any pretreatment limit or prohibitive standard, federal or local, contained in this subchapter deemed to be the most restrictive with which nondomestic users will be required to comply.

AUTHORITY. City of Harrison, Ohio.

APPROVAL AUTHORITY. The director in an NPDES state with an approved state pretreatment program and the administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program or the state or local governmental entity enacting and enforcing this subchapter, whichever is applicable.

AUTHORIZED REPRESENTATIVE OF INDUSTRIAL USER. An authorized representative of an industrial user may be:

- (1) A principal executive officer of at least the level of vice-president, if the industrial user is a corporation.
- (2) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively.
- (3) A duly authorized representative of the individual designated above if the representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

AVERAGE MONTHLY DISCHARGE LIMITATION. The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

AVERAGE WEEKLY DISCHARGE LIMITATION. The highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges, measured during a calendar week divided by the number of daily discharges measured during that week.

BENEFICIAL USES. These uses include, but are not limited to, domestic, municipal, agricultural, and industrial use; power generation; recreation; aesthetic enjoyment; navigation; the preservation and enhancement of fish, wildlife, and other aquatic resources or reserves; and other uses, both tangible or intangible, as specified by state or federal law.

BOD (biochemical oxygen demand). The quantity of oxygen utilized in the biochemical oxidation of organic matter, under standard laboratory procedure, in five days at 20°C., expressed in parts per million by weight.

CATEGORICAL PRETREATMENT STANDARDS. National pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced into a POTW by specific industrial dischargers, in accordance with § 307 (b) and (c) of the Act. (33 USC 1347)

COMPOSITE SAMPLE. A composite sample should contain a minimum of eight discrete samples taken at equal time intervals over the compositing period or proportional to the flow rate over the compositing period. More than the minimum number of discrete samples will be required where the wastewater loading is highly variable.

DAILY DISCHARGE. Discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar for purposes of sampling.

DIRECTOR OF UTILITIES. That person appointed pursuant to § 5.14 of the Charter of the City of Harrison, Ohio.

DISCHARGER or INDUSTRIAL DISCHARGER. Any nonresidential user who discharges an effluent into a POTW by means of pipes, conduits, pumping stations, force mains, constructed drainage ditches, surface water intercepting ditches, intercepting ditches, and all constructed devices and appliances appurtenant thereto.

EASEMENT. An acquired legal right of the specific use of land owned by others.

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA). The U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the administrator or other duly authorized official of the agency.

GARBAGE. Any solid wastes from the preparation, cooking, or dispensing of food and from handling, storage, or sale of produce.

GROUND (SHREDDED) GARBAGE. Garbage that is shredded to such a degree that all particles will be carried freely in suspension under the conditions normally prevailing in the sewerage system, with no particle being greater than 1/2-inch in dimension.

GRAB SAMPLE. A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

INDIRECT DISCHARGE. The discharge or the introduction of nondomestic pollutants from a source regulated under Section 307 (b) or (c) of the Act, into a POTW.

INDUSTRIAL USER. Any industrial or commercial establishment manufacturing or processing facility that discharges industrial waste to a publicly owned treatment works.

INDUSTRIAL WASTE. Solid, liquid, or gaseous waste resulting from any industrial, manufacturing, trade, or business process or from the development, recovery, or processing of natural resources.

INFLUENT. The water, together with any waste that may be present, flowing into a drain, sewer, receptacle, or outlet.

INTERFERENCE. A discharge which alone or in conjunction with a discharge or discharges from other sources both:

- (1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
- (2) Therefore is a cause of a violation of any requirement of the POTW'S NPDES permit (including an increase in the magnitude or duration of violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent local regulations); section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, and the Toxic Substance Control Act.

MAJOR CONTRIBUTOR. A contributor that:

- (1) Has a flow of more than 25,000 gallons per day of process wastewater or greater than 5% of the average dry weather organic capacity of the receiving system;
- (2) Has been classified as a categorical industrial user under the Categorical Pretreatment Standards;
- (3) Has in its wastes a toxic pollutant or pollutants in character or amounts as defined pursuant to section 307 of the Federal Act or state statutes and rules or
- (4) Is found by the city, state or the U.S. Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality or air emissions generated by the system.

MAXIMUM DAILY DISCHARGE LIMITATIONS. Highest allowable daily discharge.

NEW SOURCE. Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under section 307(C) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section. This source may be at a new site, total replacement of a previous process or production equipment at an existing source, or new wastewater generation processes independent of an existing source at the same site.

NORMAL SEWAGE. Sewage which when analyzed shows by weight a daily average of not more than 300 parts per million of suspended solids, and not more than 250 parts per million of suspended solids, and not more than 250 parts per million of BOD

NPDES. National Pollutant Discharge Elimination System permit program as administered by the U.S. EPA or state.

NPDES PERMIT. National Pollutant Discharge Elimination System permit setting forth conditions for the discharge of any pollutant or combination of pollutants to the navigable waters of the United States pursuant to Section 402 of PL 92-500.

OTHER WASTES. Decayed wood, sawdust, shavings, bark, lime, refuse, ashes, garbage, offal, oil, tar, chemicals, and all other substances except sewage and industrial wastes.

PASS THROUGH. A discharge which exits the POTW into waters of the state in quantities or concentrations which alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

PERSON. Any and all persons, natural or artificial, including any individual, firm, company, municipal, or private corporation, partnership, copartnership, joint stock company, trust, estate, association, society, institution, enterprise, governmental agency, the State of Ohio, the United States of America, or other legal entity, or their legal representative, agents, or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

POLLUTANT. Any toxic substance discharged into a POTW or its collection system or any substance designated by the authority as a pollutant pursuant to Section 935.26(a) or any substance which upon exposure to or assimilation into any organism will cause adverse effects such as cancer, genetic mutations, or physiological manifestations as defined in standards issued pursuant to Section 307(a) of the Act.

POLLUTANT PARAMETERS. The following is a list of pollutant parameters which also includes any other pollutant parameter deemed appropriate.

- (1) **BIOLOGICAL OXYGEN DEMAND (BOD)** (of sewage, sewage effluent, polluted waters, or industrial wastes). The quantity of dissolved oxygen in milligrams per liter required during stabilization of the decomposable organic matter by aerobic biochemical action under standard laboratory procedures for five days at 20°C. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods."
- (2) **CHEMICAL OXYGEN DEMAND (COD)** (of sewage, sewage effluent, polluted waters, or industrial wastes). A measure of the oxygen equivalent of that portion of the organic matter in a sample that is susceptible to oxidation by a strong chemical oxidant. The laboratory determination shall be made in accordance with procedures set forth in "Standard Methods."
- (3) **FECAL COLIFORM.** Any of a number of organisms common to the intestinal tract of man and animals, whose presence in sanitary sewage is an indicator of pollution.
- (4) **FLOATABLE OIL.** Oil, fat, or grease in a physical state, such that will separate by gravity from wastewater by treatment in an approved pretreatment facility.
- (5) **GREASE AND OIL.** A group of substances including hydrocarbons, fatty acids, soaps, fats, waxes, oils, or any other material that is extracted by a solvent from an acidified sample and that is not volatilized during the laboratory test procedures. Greases and oils are defined by the method of their determination in accordance with "Standard Methods."
- (6) **GREASE AND OIL OF ANIMAL AND VEGETABLE ORIGIN.** Substances that are water-insoluble organic compounds such as are discharged by meatpacking, vegetable oil, and fat industries, food processors, canneries, and restaurants.

- (7) GREASE AND OIL OF MINERAL ORIGIN. Substances that are less readily biodegradable than grease and oil of animal or vegetable origin, and are derived from a petroleum source. The substances include machinery lubricating oils, gasoline station wastes, petroleum refinery wastes, and storage depot wastes.
- (8) pH. The logarithm, to the base 10, of the reciprocal of the hydrogen ion concentration of a solution expressed in gram atoms per liter of solution.
- (9) SUSPENDED SOLIDS. Solids which either float on the surface of or are in suspension in water, sewage, or other liquid and which are removable by laboratory filtration. Their concentration shall be expressed in milligrams per liter. Quantitative determination shall be made in accordance with procedures set forth in "Standard Methods."
- (10) TOTAL SOLIDS. The sum of suspended and dissolved solids.
- (11) VOLATILE ORGANIC MATTER. The material in the sewage solids transformed to gases or vapors when heated at 550°C. for 15 to 20 minutes.

POLLUTION. An alteration of the quality of the waters of the state by waste to a degree which unreasonably affects the waters for beneficial uses or facilities which serve such beneficial uses. The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

POTW. Any sewage treatment works and the sewers and conveyance appurtenances discharging thereto, owned and operated by the authority.

PRETREATMENT. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing the pollutants into a POTW.

PRETREATMENT REQUIREMENTS. Any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.

PROCESS WASTEWATER. Any water which, during manufacturing or processing, comes into contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product, except non-contact cooling water and sanitary wastewater.

RECEIVING STREAM. The watercourse, stream, or body of water receiving the waters finally discharged from the wastewater treatment plant.

SEWAGE. Water-carried human wastes or a combination of water-carried wastes from residence, business buildings, institutions, and industrial establishments, together with such ground, surface, storm, or other waters as may be present.

SEWER. Any pipe, conduit, ditch, or other device used to collect and transport sewage or storm water from the generating source.

SLUDGE. Any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, air pollution control facility, or any other waste having similar characteristics and effects as defined in standards issued under Sections 402 and 405 of the Federal Act and in the applicable requirements under Sections 3001, 3004, and 4004 of the Solid Waste Disposal Act PL 94-580.

SLUGLOAD. Any pollutant (including oxygen demanding pollutants) released in discharge at a rate or pollutant concentration which causes interference to a POTW.

STANDARD INDUSTRIAL CLASSIFICATION (SIC). A classification pursuant to the "Standard Industrial Classification" manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

STANDARD METHODS. The laboratory procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater," prepared and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

SUSPENDED SOLIDS. Solids that either float on the surface of, or are in suspension in, water, sewage, or other liquids, and which are removable by laboratory filtering.

TOXIC AMOUNT. Concentrations of any pollutant or combination of pollutants which upon exposure to or assimilation into any organism will cause adverse effects such as cancer, genetic mutations, and physiological manifestations, as defined in standards issued pursuant to Section 307 (a) of PL 92-500.

TOXIC POLLUTANT. Those substances referred to in Section 307 (a) of the Act as well as any other known potential substances capable of producing toxic affects.

UNPOLLUTED WATER. Water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to sanitary sewers and wastewater treatment facilities provided.

UPSET. An exceptional incident in which a discharger unintentionally and temporarily is in a state of noncompliance with the pollution standards set forth herein due to factors beyond the reasonable control of the discharger, and excluding noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.

USER. Any person that discharges, causes, or permits the discharge of wastewater into the sewerage system.

WASTEWATER. Industrial waste, sewage, or any other waste including that which may be combined with any ground water, surface water, or storm water, that may be discharged to the POTW.

WASTEWATER CONSTITUENTS AND CHARACTERISTICS. The individual chemical, physical, bacteriological, and radiological parameters, including volume, flow rate, and such other parameters that serve to define, classify, or measure the contents, quality, quantity, and strength of wastewater.

WATERCOURSE. A channel in which a flow of water occurs, either continuously or intermittently. (1993 Code 52.46)

935.23 REGULATIONS.

(a) General Discharge Prohibitions. No discharger shall contribute or cause to be discharged, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the authority.

- (1) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any other way to the operation of the POTW.
- (2) Solid or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater system.
- (3) Any wastewater having a pH less than 5 or more than 9, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system unless the system is specifically designed to accommodate such wastewater.
- (4) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction, to injure or interfere with any wastewater treatment process, to constitute a hazard to humans or animals, or to exceed the limitation set forth in the national categorical pretreatment standards. A toxic pollutant shall include but not be limited to any pollutant referred to in Section 307 (a) of the Act.
- (5) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair.
- (6) Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state standards applicable to the sludge management method being used.
- (7) Any substance which will pass through the POTW in quantities or concentrations which will cause the POTW to violate its NPDES or other disposal permits.
- (8) Any substance with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- (9) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40°C. (104°F.) unless the POTW treatment plant is designed to accommodate such temperature.
- (10) Any slugload.

- (11) Any unpolluted water including, but not limited to noncontact cooling water.
- (12) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as exceed limits established by the authority in compliance with applicable state or federal regulations.
- (13) Any wastewater which causes a hazard to human life or creates a public nuisance.

(b) Limitation on Wastewater Strength.

- (1) National categorical pretreatment standards. National categorical pretreatment standards as promulgated by the U.S. EPA pursuant to the Act shall be met by all dischargers of the regulated industrial categories. An application for modification of the national categorical pretreatment standards may be considered for submittal to the regional administrator by the authority, when the authority's waste-water treatment system achieves consistent removal of the pollutants as defined in 40 CFR § 403.7.
- (2) State requirements. State requirements and limitations on discharges to the POTW shall be met by all dischargers which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this subchapter or any other applicable law.
- (3) Right of revision. The authority reserves the right to amend this subchapter to provide for more stringent limitations or requirements on discharges to the POTW where deemed necessary to comply with the objectives set forth in Section 935.21.
- (4) Specific discharge limitations.
 - A. No discharger shall discharge wastewater containing concentrations of the following materials exceeding the following values.

Material	Concentration (mg/l)
Arsenic	0.05
Cadmium	0.05
Chromium	1.0
Copper	0.5
Cyanide (HCN)	0.1
Lead	0.45
Mercury	0.002
Nickel	1.0
Oil and Grease	75.0
Phenols	0.5
Silver	0.003
Zinc	1.0
ph	5.0 - 9.0 su's

- B. The authority will issue individual permits to the industrial users which impose limitation the daily discharge of the user. These limits will include not only discharge volumes, but also massed based loading of any or all of the materials listed above.

- (5) Dilution. No discharger shall increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in this subchapter. The authority may impose mass limitations on dischargers which are using dilution to meet the pretreatment standards or requirements of this subchapter, or in other cases where the imposition of mass limitations is deemed appropriate by the authority.

(c) Accidental Discharges.

- (1) Each discharger shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this subchapter. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the discharger's cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the authority for review, and shall be approved by the authority before construction of the facility. Each existing discharger shall complete its plan and submit its plan to the authority by June 1, 1989. No discharger who discharges to the POTW after the aforesaid date shall be permitted to introduce pollutants into the system until accidental discharge protection procedures have been approved by the authority. Review and approval of the plans and operating procedures by the authority shall not relieve the discharger from the responsibility to modify its facility as necessary to meet the requirements of this subchapter.
- (2) Dischargers shall notify the authority immediately upon the occurrence of a slugload, or accidental discharge of substances prohibited by this subchapter. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any discharger who discharges a slugload of prohibited materials shall be liable for any expense, loss, or damage to the POTW, in addition to the amount of any fines imposed on the authority on account thereof under state or federal law.
- (3) Signs shall be permanently posted in conspicuous places on discharger's premises, advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge with respect to emergency notification procedure.

(d) Bypass. No discharger shall "bypass" or intentionally divert the wastestream from any portion of an industrial user's treatment facility, which would result in a violation of existing pretreatment standards or requirements. Bypasses which are necessary for essential maintenance of facilities may be approved if notice is given to the approval authority at least ten days in advance of a planned bypass. In the event of an unplanned bypass, the industrial user must orally notify the approval authority within 24 hours of the time the bypass is known, and must provide written submission to the authority within five days of the time the industrial user becomes aware of the bypass, describing the cause, duration, and methods of correction. Approval of bypasses may also be made if they were made to prevent the loss of life, personal injury, or severe property damage.

(e) Permits. The Director of Utilities or his/her authorized representative may issue permits to any industrial user designating certain substances as pollutants and appraising user of the applicable pollutants which must be treated by said user and the limits of allowable discharge from user's system. Said limits shall be maximum limits under this subchapter. The Director of Utilities or his/her authorized representative may issue permits to any industrial user to require compliance with any requirements under this pretreatment subchapter including applicable categorical pretreatment standards, other discharge limits, and reporting requirements. (1993 Code 52.47)

935.24 FEES; SURCHARGES.

(a) Purpose. It is the purpose of this subchapter to provide for the payment of fees from dischargers to the authority's wastewater disposal system, to compensate the authority for the cost of administration of the pretreatment program established herein.

(b) Charges and fees. The City shall adopt charges and fees as follows:

- (1) Review of periodic compliance reports and inspection of facilities as required by Section 935.25, \$35.00.
- (2) Administrative adjustment notices and various communications related thereto as required by Section 935.26, \$100.00.
- (3) Show cause hearing required by Section 935.26, \$200.00.
- (4) Sampling charges per sample as required by Section 935.25, \$300.00.

(c) Surcharges.

- (1) Sewage or industrial wastes above normal sewage strength but acceptable for discharge into the sanitary sewage system shall be subject to a monthly surcharge. The surcharge shall be determined on the basis of either or both of two constituents of the water or wastes.
 - A. Total suspended solids.
 - B. Five-day BOD at 20° C. and as herein provided.
- (2) When either or both the total suspended solids and the BOD of a water or waste accepted for admission to the system exceeds the values of these constituents for normal sewage, the excess concentration in either or both as the case may be, shall be subject to a surcharge as follows.
 - A. Pounds of excess suspended solids per day x \$.21 per pound = S.S. surcharge.
 - B. Pounds of excess BOD per day x \$.23 per pound = BOD surcharge.
- (3) In addition to the surcharge, the service charge on all industrial wastes discharged to the sewage system for sewage treatment service by the authority shall be the charge specified in the current City ordinance pertaining to sewer service charges of the authority. In addition, all industrial users shall pay all applicable surcharges and penalties as stated and defined in this subchapter.
- (4) The pounds of BOD per day or the pounds of suspended solids per day above the concentrations previously described for normal strength sewage that are discharged to the sewerage system shall be determined by the City or its authorized representative. (1993 Code 52.48)

935.25 ADMINISTRATION.

(a) Wastewater Dischargers. It shall be unlawful to discharge sewage, industrial wastes, or other wastes to any sewer within the jurisdiction of the authority, or to the POTW without having first complied with the terms of this subchapter.

(b) Connection to Public Sewer; Inspection. The applicant for a sewer tap shall notify the Director of Utilities when the sewer tap is ready for inspection and connection to the public sewer. The connection shall be made by the applicant, under the supervision of the Director of Utilities or his representative.

(c) Discharge Permit. Each industrial discharger shall not discharge to the city's sanitary sewer system until it has received a discharge permit. In order to receive a discharge permit, the industrial discharger must file a permit application form.

(d) Wastewater Discharge Data Disclosure.

(1) General disclosure. All industrial dischargers proposing to connect to or to discharge sewage, industrial wastes, and other wastes to the POTW shall comply with all terms of this subchapter within 90 days after the effective date of this subchapter.

(2) Disclosure forms.

A. Industrial dischargers shall complete and file with the authority a disclosure declaration in the form prescribed by the authority, and accompanied by the appropriate fee. Existing industrial dischargers shall file disclosure forms within 30 days after the effective date of this subchapter, and proposed new dischargers shall file disclosure forms at least 90 days prior to connecting to the POTW. The disclosure to be made by the discharger shall be made on written forms provided by the authority and shall cover the following:

1. Disclosure of the name, address, and location of the discharger.
2. Disclosure of Standard Industrial Classification (SIC) number according to the "Standard Industrial Classification" manual, Bureau of the Budget, 1972, as amended.
3. Disclosure of wastewater constituents and characteristics including, but not limited to, those mentioned in this subchapter, including Appendices A and B, and C as appropriate, as determined by bona fide chemical and biological analyses. Sampling and analysis shall be performed in accordance with procedures established by the U.S. EPA and contained in 40 CFR, Part 136, as amended.
4. Disclosure of time and duration of discharges.
5. Disclosure of average daily and instantaneous peak wastewater flow rates, in gallons per day, including daily, monthly, and seasonal variation, if any. All flows shall be measured unless other verifiable techniques are approved by the authority due to cost or nonfeasibility.
6. Disclosure of site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, sewer connections, inspection manholes, sampling chambers, and appurtenances by size, location, and elevation.

7. Description of activities, facilities, and plant processes on the premises including all materials which are or may be discharged to the sewers or works of the authority.
8. Disclosure of the nature and concentration of any pollutants or materials prohibited by this subchapter in the discharge, together with a statement regarding whether or not compliance with this subchapter is being achieved on a consistent basis and if not, whether additional operation and maintenance activities or additional pretreatment is required for the discharger to comply with this subchapter.
9. Where additional pretreatment or operation and maintenance activities will be required to comply with this subchapter, the discharger shall provide a declaration of the shortest schedule by which the discharger will provide the additional pretreatment or implementation of additional operational and maintenance activities.
 - a. The schedule shall contain milestone dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the discharger to comply with the requirements of this subchapter including, but not limited to, dates relating to hiring an engineer, hiring other appropriate personnel, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, and all other acts necessary to achieve compliance with this subchapter.
 - b. Under no circumstance shall the authority permit a time increment for any single step directed toward compliance which exceeds nine months.
 - c. Not later than 14 days following each milestone date in the schedule and the final date for compliance, the discharger shall submit a progress report to the authority, including no less than a statement as to whether or not it complied with the increment of progress represented by that milestone date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the discharger to return the construction to the approved schedule. In no event shall more than nine months elapse between the progress reports to the authority.
 - d. Failure to adhere to the milestone dates provided for herein shall constitute a violation of this subchapter and shall subject the discharger to the penalties provided for in Sections 935.28, 935.98 and 935.99.

10. Disclosure of each product produced by type, amount, process, or processes and rate of production.
 11. Disclosure of the type and amount of raw materials utilized (average and maximum per day).
 12. All disclosure forms shall be signed by a responsible corporate officer, president, secretary, treasurer, or vice president of a corporation; by a general partner or proprietor of a partnership or sole proprietorship respectively; by a duly authorized representative of the individual designated above if the authorization is made in writing by the described individual to the approval authority, and the authorized individual has responsibility for overall operation of the facility from which the discharge originates, or if previous authorization is no longer accurate because a different individual or position is responsible for overall operation of the facility, in which case new authorization must be submitted to the approval authority prior to any reports being signed by an authorized representative.
 13. All sewers shall have an inspection and sampling manhole or structure with an opening of no less than 24 inches in diameter and an internal diameter of no less than 36 inches containing flow measuring, recording, and sampling equipment as required by the authority to assure compliance with this subchapter.
- B. The authority will evaluate the complete disclosure form and data furnished by the discharger and may require additional information. Within 30 days after full evaluation and acceptance of the data furnished, the authority shall notify the discharger of the authority's acceptance thereof.
- (3) Standards modification. The authority reserves the right to amend this subchapter and the terms and conditions hereof in order to assure compliance by the authority with applicable laws and regulations. The discharger shall be informed of any proposed changes in the subchapter at least 30 days prior to the effective date of change. Any changes or new conditions in the subchapter shall include a reasonable time schedule for compliance.
- (e) Reporting Requirements for Discharger.
- (1) Compliance date report. Within 90 days following the date for final compliance by the discharger with applicable pretreatment standards set forth in this subchapter or 90 days following commencement of the introduction of wastewater into the POTW by a new discharger, any discharger subject to this subchapter shall submit to the authority a report indicating the nature and concentration of all prohibited or regulated substances contained in its discharge, and the average and maximum daily flow in gallons. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional O & M or pretreatment is necessary to bring the discharger into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the discharger, and certified to by a qualified engineer.

(2) Periodic compliance reports.

- A. Any discharger subject to a pretreatment standard set forth in this subchapter, after the compliance date of the pretreatment standard, or, in the case of a new source discharger, after commencement of the discharge to the authority, shall submit to the authority during the months of June and December, unless required more frequently by the authority, a report indicating the nature and concentration of prohibited or regulated substances in the effluent which are limited by the pretreatment standards hereof. In addition, this report shall include a record of all measured or estimated average and maximum daily flows during the reporting period reported in division (e)(1) above. Flows shall be reported on the basis of actual measurement, provided, however, where cost or feasibility considerations justify, the authority may accept reports of average and maximum flows estimated by verifiable techniques. The authority, for good cause shown considering such factors as local high or low flow rates, holidays, budget cycles, or other extenuating factors may authorize the submission of the reports on months other than those specified above.
- B. Reports of dischargers shall contain all results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where required by the authority. The frequency of monitoring by the discharger shall be as prescribed in the applicable Wastewater Discharge Permit. All analyses shall be performed in accordance with 40 CFR, Part 136 and amendments thereto. Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, "Sampling and Analysis Procedures for Screening of Industrial Effluent for Priority Pollutants," April, 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the Administrator of the U.S. EPA.

(f) Monitoring Facilities.

- (1) Each discharger shall provide and operate at the discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the authority. Each monitoring facility shall be situated on the discharger's premises, except where such a location would be impractical or cause undue hardship on the discharger, the authority may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There shall be ample room in or near the sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the discharger.
- (2) All monitoring facilities shall be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction shall be completed within 120 days of receipt of the permit by the discharger.

(g) Inspection and Sampling. The authority may inspect the monitoring facilities of any discharger to determine compliance with the requirements of this subchapter. The discharger shall allow the authority or its representatives, upon presentation of credentials of identification, to enter upon the premises of the discharger at all reasonable hours, for the purposes of inspection, sampling, or records examination. The authority shall have the right to set up on the discharger's property such devices as are necessary to conduct sampling, inspection, compliance monitoring, or metering operations.

(h) Confidential Information.

- (1) Information and data furnished to the authority with respect to the nature and frequency of discharge shall be available to the public or other governmental agency without restriction unless the discharger specifically requests and is able to demonstrate to the satisfaction of the authority that the release of the information would divulge information, processes, or methods of production entitled to protection as trade secrets or proprietary information of the discharger.
- (2) When requested by a discharger furnishing a report, the portions of a report which may disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this subchapter, the National Pollutant Discharge Elimination System (NPDES) permit, state disposal system permit, or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the discharger furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by the authority as confidential, shall not be transmitted to any governmental agency or to the general public by the authority until and unless a ten-day notification is given to the discharger. (1993 Code 52.49)

935.26 ENFORCEMENT.

(a) Emergency Suspension of Service and Discharge Permits. The authority may for good cause shown suspend the waste-water treatment service to a discharger when it appears to the authority that an actual or threatened discharge presents or threatens an imminent or substantial danger to the environment, interferes with the operation of the POTW, or violate any pretreatment limits imposed by this subchapter. Any discharger notified of the suspension of the authority's wastewater treatment service shall within a reasonable period of time, as determined by the authority, cease all discharges. In the event of failure of the discharger to comply voluntarily with the suspension order within the specified time, the authority shall commence judicial proceedings immediately thereafter to compel the discharger's compliance with the order. The authority shall reinstate the wastewater treatment service and terminate judicial proceedings pending proof by the discharger of the elimination of the noncomplying discharge or conditions creating the threat of imminent or substantial danger as set forth above.

(b) Revocation of Treatment Services. The authority may seek to terminate the wastewater treatment services to any discharger which fails to factually report the wastewater constituents and characteristics of its discharge; fails to report significant changes in wastewater constituents or characteristics; refuses reasonable access to the discharger's premises by representatives of the authority for the purpose of inspection or monitoring; and violates the conditions of this subchapter, or any final judicial order entered with respect thereto.

(c) Notification of Violation: Administrative Adjustment. Whenever the authority finds that any discharger has engaged in conduct which justifies termination of a wastewater treatment services, pursuant to division (b) above, the authority shall serve or cause to be served upon the discharger a written notice, either personally or by certified or registered mail, return receipt requested, stating the nature of the alleged violation. Within 10 days of the date of receipt of the notice, the discharger shall respond personally or in writing to the authority, advising of its position with respect to the allegations. Thereafter, the parties shall meet to ascertain the veracity of the allegations and where necessary, establish a plan for the satisfactory correction thereof.

(d) Show Cause Hearing. Where the violation of division (b) above is not corrected by timely compliance by means of administration adjustment, the authority may order any discharger which causes or allows conduct prohibited by division (b) above to show cause before the authority or its duly authorized representative, why the proposed service termination action should not be taken. A written notice shall be served on the discharger by personal service, certified or registered, return receipt requested, specifying the time and place of a hearing to be held by the authority or its designee regarding the violation, the reasons why the enforcement action is to be taken, the proposed enforcement action, and directing the discharger to show cause before the authority or its designee why the proposed enforcement action should not be taken. The notice of the hearing shall be served no less than ten days before the hearing. Service may be made on any agent, officer, or authorized representative of a discharger. The proceedings at the hearing shall be considered by the authority which shall then enter appropriate orders with respect to the alleged improper activities of the discharger. Appeal of the orders may be taken by the discharger in accordance with applicable local or state law.

(e) Judicial Proceedings. Following the entry of any order by the authority with respect to the conduct of a discharger contrary to the provisions of division (b) above, the attorney for the authority may, following the authorization of such action by the authority, commence an action for appropriate legal or equitable relief in the appropriate local court.

(f) Enforcement Actions: Annual Publication. A list of all significant dischargers which were the subject of enforcement proceedings pursuant to this section during the 12 previous months, shall be annually published by the authority in the largest daily newspaper published in the municipality in which the authority is located, summarizing the enforcement actions taken against the dischargers during the same 12 months whose violations remained uncorrected 45 or more days after notification of noncompliance; or which have exhibited a pattern of noncompliance over that 12-month period, or which involve failure to accurately report noncompliance.

(g) Right of Appeal. Any discharger or any interested party shall have the right to request in writing an interpretation or ruling by the authority on any matter covered by this subchapter and shall be entitled to a prompt written reply. In the event that the inquiry is by a discharger and deals with matters of performance or compliance with this subchapter for which enforcement activity relating to an alleged violation is the subject, receipt of a discharger's request shall stay all enforcement proceedings pending receipt of the aforesaid written reply. Appeal of any final judicial order entered pursuant to this subchapter may be taken in accordance with local and state law.

(h) Operating Upsets.

- (1) Any discharger which experiences an upset in operations which places the discharger in a temporary state of noncompliance with this subchapter shall inform the authority thereof immediately after becoming aware of the commencement of the upset. Where the information is given orally, a written follow-up report thereof shall be filed by the discharger with the authority within five days. The report shall specify the following.
 - A. Description of the upset, the cause thereof, and the upset's impact on a discharger's compliance status.
 - B. Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur.
 - C. All steps taken or to be taken to reduce, eliminate, and prevent recurrence of an upset or other conditions of noncompliance.
- (2) A documented and verified bona fide operating upset shall be an affirmative defense to any enforcement action brought by the authority against a discharger for any noncompliance with the subchapter which arises out of violations alleged to have occurred during the period of the upset. (1993 Code 52.50)

935.27 RECORDS RETENTION.

All dischargers subject to this subchapter shall retain and preserve for no less than three years any records, books, documents, memoranda, reports, correspondence, and any and all summaries thereof, relating to monitoring, sampling, and chemical analyses made by or in behalf of a discharger in connection with its discharge. All records which pertain to matters which are the subject of administrative adjustment or any other enforcement or litigation activities brought by the authority pursuant hereto shall be retained and preserved by the discharger until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired. (1993 Code 52.51)

935.28 RECOVERY OF COSTS INCURRED BY THE AUTHORITY.

Any discharger violating any of the provisions of this subchapter, or who discharges or causes a discharge producing a deposit or obstruction, or causes damage to or impairs the authority's wastewater disposal system shall be liable to the authority for any expense, loss, or damage caused by the violation or discharge. The authority shall bill the discharger for the costs incurred by the authority for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this subchapter enforceable under the provisions of Sections 935.26 and 935.99. (1993 Code 52.52)

935.29 FALSIFYING INFORMATION.

Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this subchapter, or a wastewater discharge permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this subchapter, shall, upon conviction, be punished as provided in Section 935.99 (1993 Code 52.53)

935.98 CIVIL PENALTY.

Any discharger who is found to have violated an order of the authority or who has failed to comply with any provision of Sections 935.21 to 935.29 and the regulations or rules of the authority, or orders of any court of competent jurisdiction or permits issued hereunder, may be subjected to the imposition of a civil penalty. (1993 Code 52.98)

935.99 PENALTY.

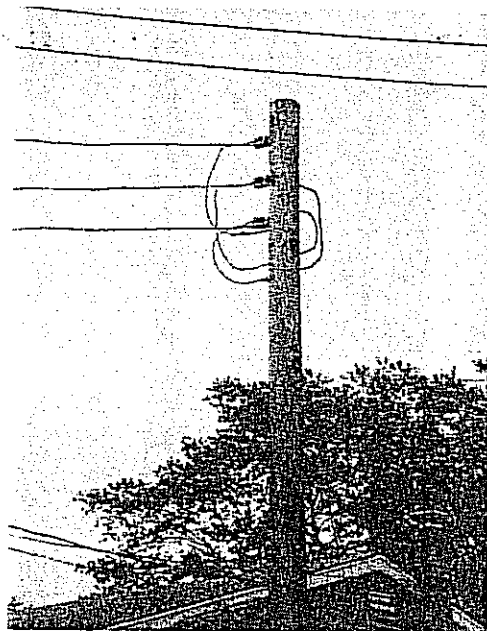
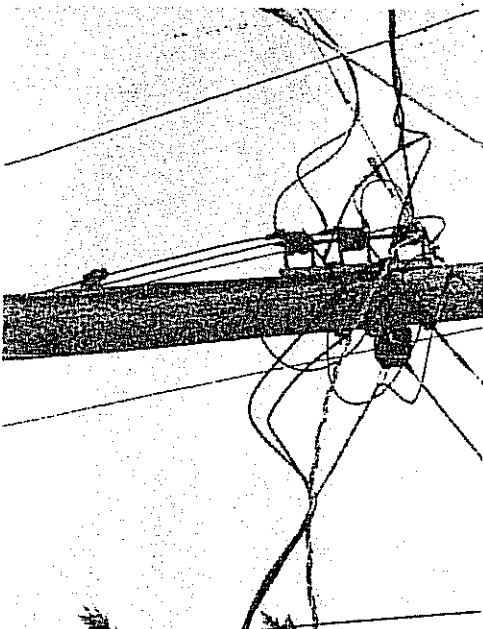
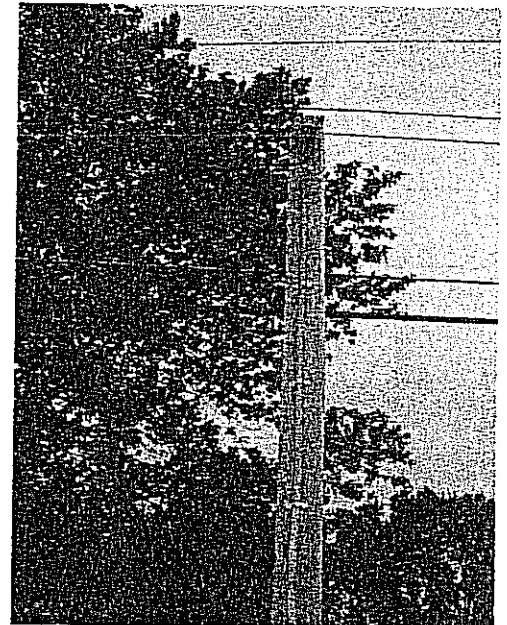
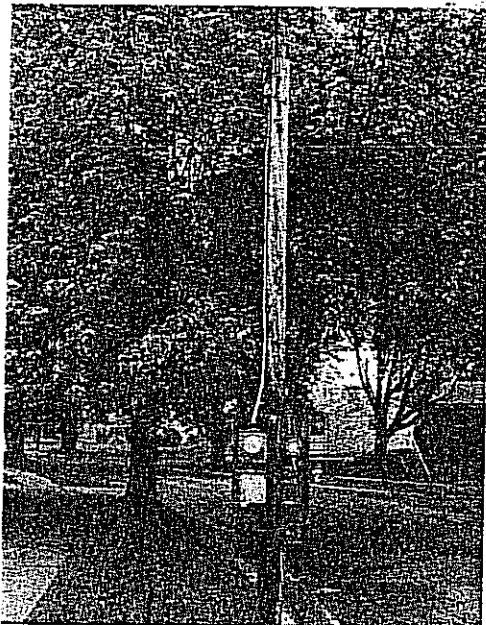
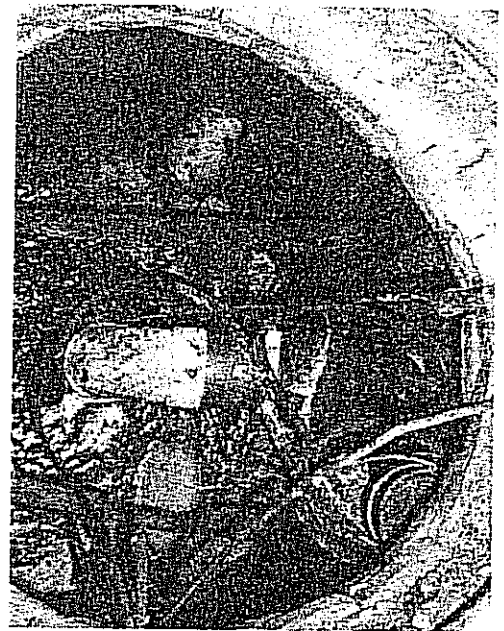
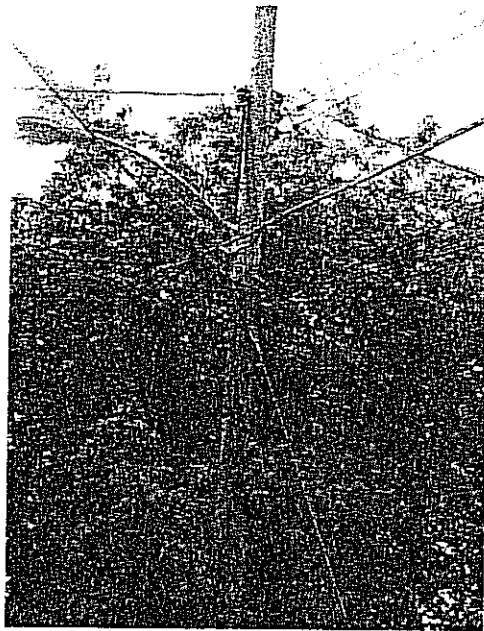
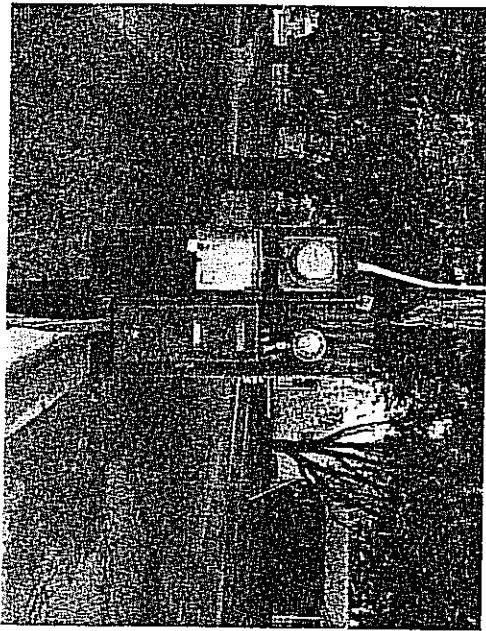
(a) Any person, firm, or corporation who violates any provision of Sections 935.03 to 935.18 shall be fined up to \$100.00 for each offense and a separate offense shall be deemed to have been committed each 24-hour period that such violation continues.

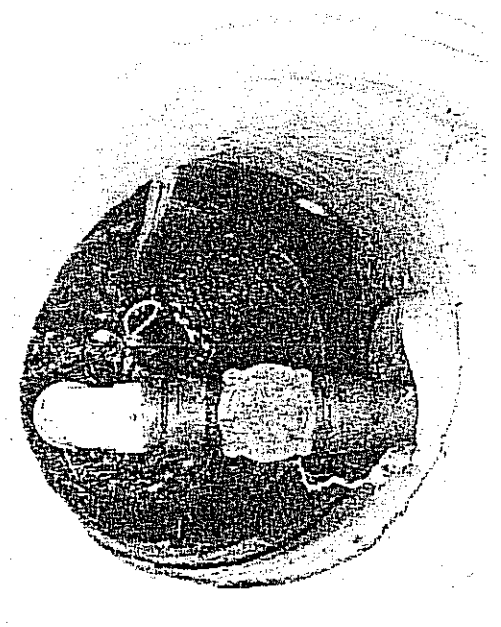
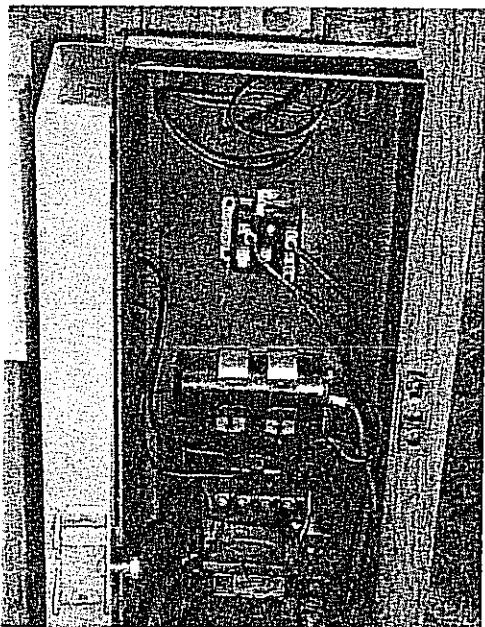
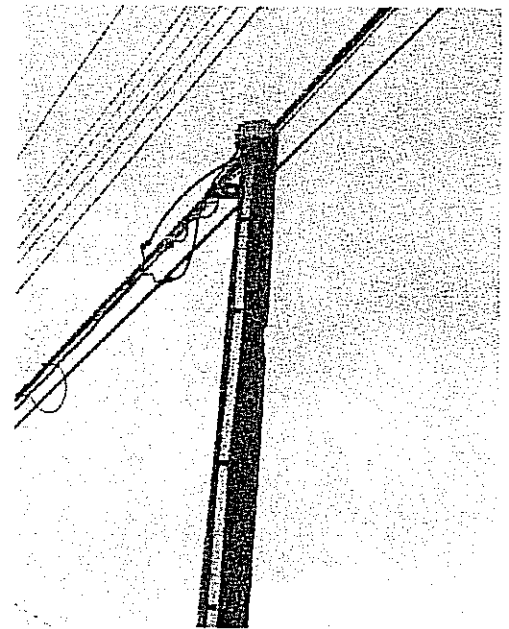
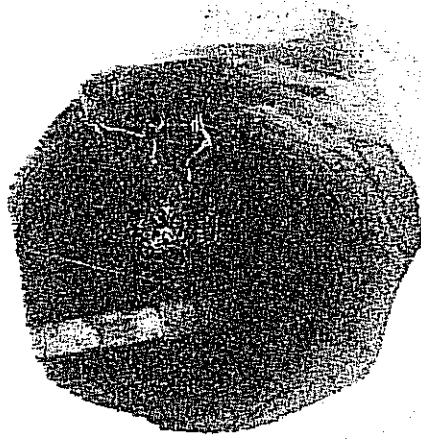
(b) In addition to any other remedies set forth herein, a violation of any of the standards or limits of pollutants set forth in Sections 935.21 to 935.29 or a deviation from any of the procedures for testing, sampling, and reporting or a violation of any other section of Sections 935.21 to 935.29 shall result in a fine of up to \$1,000 per day for each day of violation and each day of violation shall be deemed a separate violation under Sections 935.21 to 935.29. Further, if any violation is found to be intentional, or if any violation continues after reasonable notice of the violation has been given or after the discharger becomes aware of the violation, the person or persons responsible may be imprisoned for six months in addition to the fine as set forth above.

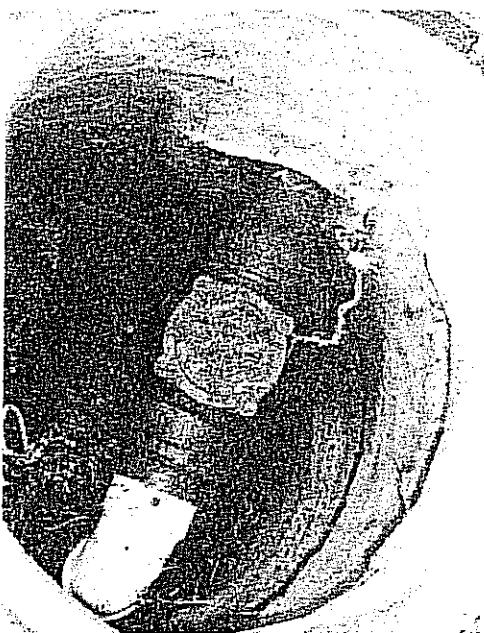
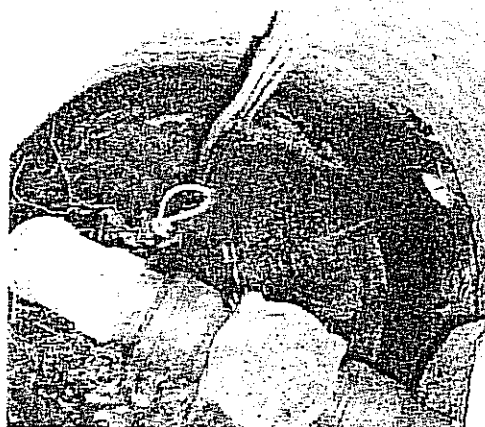
(c) Any person violating any provisions of Section 935.29 shall be punished by the imposition of a civil penalty of not more than \$1,000 or by imprisonment for not more than six months, or by both. (1993 Code 52.99)

Rate Chart January 2004				
Gallons	Water	Sewer	Garbage	Total
2000	7.60	10.08	9.50	27.18
3000	11.00	15.11	9.50	35.61
4000	14.40	20.14	9.50	44.04
5000	16.50	25.17	9.50	51.17
6000	18.60	30.20	9.50	58.30
7000	20.70	35.23	9.50	65.43
8000	22.80	40.26	9.50	72.56
9000	24.90	45.29	9.50	79.69
10000	27.00	50.32	9.50	86.82
11000	28.90	55.35	9.50	93.75
12000	30.80	60.38	9.50	100.68
13000	32.70	65.41	9.50	107.61
14000	34.60	70.44	9.50	114.54
15000	36.50	75.47	9.50	121.47
16000	38.40	80.50	9.50	128.40
17000	40.30	85.53	9.50	135.33
18000	42.20	90.56	9.50	142.26
19000	44.10	95.59	9.50	149.19
20000	46.00	100.62	9.50	156.12
21000	47.90	105.65	9.50	163.05
22000	49.80	110.68	9.50	169.98
23000	51.70	115.71	9.50	176.91
24000	53.60	120.74	9.50	183.84
25000	55.50	125.77	9.50	190.77
26000	57.40	130.80	9.50	197.70
27000	59.30	135.83	9.50	204.63
28000	61.20	140.86	9.50	211.56
29000	63.10	145.89	9.50	218.49
30000	65.00	150.92	9.50	225.42
31000	66.90	155.95	9.50	232.35
32000	68.80	160.98	9.50	239.28
33000	70.70	166.01	9.50	246.21
34000	72.60	171.04	9.50	253.14
35000	74.50	176.07	9.50	260.07
36000	76.40	181.10	9.50	267.00
37000	78.30	186.13	9.50	273.93
38000	80.20	191.16	9.50	280.86
39000	82.10	196.19	9.50	287.79
40000	84.00	201.22	9.50	294.72
41000	85.90	206.25	9.50	301.65
42000	87.80	211.28	9.50	308.58
43000	89.70	216.31	9.50	315.51
44000	91.60	221.34	9.50	322.44
45000	93.50	226.37	9.50	329.37
46000	95.40	231.40	9.50	336.30
47000	97.30	236.43	9.50	343.23
48000	99.20	241.46	9.50	350.16
49000	101.10	246.49	9.50	357.09
50000	103.00	251.52	9.50	364.02

Township Rate Chart 2003	
Gallons	Water
2000	\$8.74
3000	\$12.65
4000	\$16.56
5000	\$18.97
6000	\$21.38
7000	\$23.79
8000	\$26.20
9000	\$28.61
10000	\$31.02
11000	\$33.20
12000	\$35.38
13000	\$37.56
14000	\$39.74
15000	\$41.92
16000	\$44.10
17000	\$46.28
18000	\$48.46
19000	\$50.64
20000	\$52.82
21000	\$55.00
22000	\$57.18
23000	\$59.36
24000	\$61.54
25000	\$63.72
26000	\$65.90
27000	\$68.08
28000	\$70.26
29000	\$72.44
30000	\$74.62
31000	\$76.80
32000	\$78.98
33000	\$81.16
34000	\$83.34
35000	\$85.52
36000	\$87.70
37000	\$89.88
38000	\$92.06
39000	\$94.24
40000	\$96.42
41000	\$98.60
42000	\$100.78
43000	\$102.96
44000	\$105.14
45000	\$107.32
46000	\$109.50
47000	\$111.68
48000	\$113.86
49000	\$116.04
50000	\$118.22







ADDITIONAL SUPPORT INFORMATION

For Program Year 2005 (July 1, 2005 through June 30, 2006), jurisdictions shall provide the following support information to help determine which projects will be funded. Information on this form must be accurate, and where called for, based on sound engineering principles. Documentation to substantiate the individual items, as noted, is required. The applicant should also use the rating system and its' addendum as a guide. The examples listed in this addendum are not a complete list, but only a small sampling of situations that may be relevant to a given project.

IF YOU ARE APPLYING FOR A GRANT, WILL YOU BE WILLING TO ACCEPT A LOAN IF ASKED BY THE DISTRICT? ☒ YES ☐ NO (ANSWER REQUIRED)

Note: Answering "Yes" will not increase your score and answering "NO" will not decrease your score.

1) What is the physical condition of the existing infrastructure that is to be replaced or repaired?

Give a statement of the nature of the deficient conditions of the present facility exclusive of capacity, serviceability, health and/or safety issues. If known, give the approximate age of the infrastructure to be replaced, repaired, or expanded. Use documentation (if possible) to support your statement. Documentation may include (but is not limited to): ODOT BR86 reports, pavement management condition reports, televised underground system reports, age inventory reports, maintenance records, etc., and will only be considered if included in the original application. Examples of deficiencies include: structural condition; substandard design elements such as widths, grades, curves, sight distances, drainage structures, etc.

The new sewer will replace three dilapidated sanitary lift stations and a poorly aligned sanitary sewer. The lift stations receive inflow and infiltration (I/I), and require ongoing maintenance. The sewer backs up due to poor alignment with nearby branch sewers, and is subject to I/I.

2) How important is the project to the safety of the Public and the citizens of the District and/or service area?

Give a statement of the projects effect on the safety of the service area. The design of the project is intended to reduce existing accident rate, promote safer conditions, and reduce the danger of risk, liability or injury. (Typical examples may include the effects of the completed project on accident rates, emergency response time, fire protection, and highway capacity.) Please be specific and provide documentation if necessary to substantiate the data. The applicant must demonstrate the type of problems that exist, the frequency and severity of the problems and the method of correction.

Basement flooding of sanitary sewage must be stopped, and elimination of exposed lift station electrical control boxes will both improve safety conditions in the subdivision served by this sewer.

3) How important is the project to the health of the Public and the citizens of the District and/or service area?

Give a statement of the projects effect on the health of the service area. The design of the project will improve the overall condition of the facility so as to reduce or eliminate potential for disease, or correct concerns regarding the environmental health of the area. (Typical examples may include the effects of the completed project by improving or adding storm drainage or sanitary facilities, replacing lead jointed water lines, etc.). Please be specific and provide documentation if necessary to substantiate the data. The applicant must demonstrate the type of problems that exist, the frequency and severity of the problems and the method of correction.

Periodic basement flooding of sanitary sewage due to malfunction of three sanitary lift stations will be dealt with by installing the new gravity sewer, and eliminating all three lift stations.

4) Does the project help meet the infrastructure repair and replacement needs of the applying jurisdiction?

The jurisdiction must submit a listing in priority order of the projects for which it is applying. Points will be awarded on the basis of most to least importance.

Priority 1 State Street/Campbell Road Sanitary Sewer Improvements

Priority 2 New Biddinger Road Water Main (separate application)

Priority 3 _____

Priority 4 _____

Priority 5 _____

5) Will the completed project generate user fees or assessments?

Will the local jurisdiction assess fees or project costs for the usage of the facility or its products once the project is completed (example: rates for water or sewer, frontage assessments, etc.).

No ☒ Yes _____ If yes, what user fees and/or assessments will be utilized?

(Project is in an existing fully developed subdivision that already has sewer service.)

6) Economic Growth – How will the completed project enhance economic growth

Give a statement of the projects effect on the economic growth of the service area (be specific).

N/A

7) Matching Funds - LOCAL

The information regarding local matching funds is to be filed by the applicant in Section 1.2 (b) of the Ohio Public Works Association's "Application For Financial Assistance" form.

8) Matching Funds - OTHER

The information regarding local matching funds is to be filed by the applicant in Section 1.2 (c) of the Ohio Public Works Association's "Application For Financial Assistance" form. If MRF funds are being used for matching funds, the MRF application must have been filed by August 31st of this year for this project with the Hamilton County Engineer's Office. List below all "other" funding the source(s).

N/A

- 9) Will the project alleviate serious capacity problems or respond to the future level of service needs of the district?

Describe how the proposed project will alleviate serious capacity problems (be specific).

The existing sewer flows into a manhole shared by another branch sewer, where a sewer backup occurs. The existing lift stations also experience periodic backups. The new sewer will eliminate the 3 lift stations and be re-aligned, with increased capacity, to eliminate the backups at the manhole where they now converge.

For roadway betterment projects, provide the existing and proposed Level of Service (LOS) of the facility using the methodology outlined within AASHTO'S "Geometric Design of Highways and Streets" and the 1985 Highway Capacity Manual.

Existing LOS _____ Proposed LOS _____

If the proposed design year LOS is not "C" or better, explain why LOS "C" cannot be achieved.

N/A

10) If SCIP/LTIP funds were granted, when would the construction contract be awarded?

If SCIP/LTIP funds are awarded, how soon after receiving the Project Agreement from OPWC (tentatively set for July 1 of the year following the deadline for applications) would the project be under contract? The Support Staff will review status reports of previous projects to help judge the accuracy of a jurisdiction's anticipated project schedule.

Number of months Two

- | | | | |
|--|--------------|-------------|-----------|
| a.) Are preliminary plans or engineering completed? | Yes <u>✓</u> | No _____ | N/A _____ |
| b.) Are detailed construction plans completed? | Yes <u>✓</u> | No _____ | N/A _____ |
| c.) Are all utility coordination's completed? | Yes <u>✓</u> | No _____ | N/A _____ |
| d.) Are all right-of-way and easements acquired (if applicable)? | Yes _____ | No <u>✓</u> | N/A _____ |

If no, how many parcels needed for project? one Of these, how many are: Takes _____

Temporary ✓

Permanent ✓

For any parcels not yet acquired, explain the status of the ROW acquisition process for this project.

The easement legal description is now being developed for reference in obtaining the easement.

- e.) Give an estimate of time needed to complete any item above not yet completed. 1 Months.

11) Does the infrastructure have regional impact?

Give a brief statement concerning the regional significance of the infrastructure to be replaced, repaired, or expanded.

N/A

12) What is the overall economic health of the jurisdiction?

The District 2 Integrating Committee predetermines the jurisdiction's economic health. The economic health of a jurisdiction may periodically be adjusted when census and other budgetary data are updated.

13) Has any formal action by a federal, state, or local government agency resulted in a partial or complete ban of the usage or expansion of the usage for the involved infrastructure?

Describe what formal action has been taken which resulted in a ban of the use of or expansion of use for the involved infrastructure? Typical examples include weight limits, truck restrictions, and moratoriums or limitations on issuance of building permits, etc. The ban must have been caused by a structural or operational problem to be considered valid. Submission of a copy of the approved legislation would be helpful.

N/A

Will the ban be removed after the project is completed? Yes _____ No _____ N/A _____

14) What is the total number of existing daily users that will benefit as a result of the proposed project?

For roads and bridges, multiply current Average Daily Traffic (ADT) by 1.20. For inclusion of public transit, submit documentation substantiating the count. Where the facility currently has any restrictions or is partially closed, use documented traffic counts prior to the restriction. For storm sewers, sanitary sewers, water lines, and other related facilities, multiply the number of households in the service area by 4. User information must be documented and certified by a professional engineer or the jurisdictions' C.E.O.

Traffic: ADT _____ X 1.20 = _____ Users

Water/Sewer: Homes 607 X 4.00 = 2,428 Users

15) Has the jurisdiction enacted the optional \$5 license plate fee, an infrastructure levy, a user fee, or dedicated tax for the pertinent infrastructure?

The applying jurisdiction shall list what type of fees, levies or taxes they have dedicated toward the type of infrastructure being applied for. (Check all that apply)

Optional \$5.00 License Tax _____

Infrastructure Levy _____ Specify type _____

Facility Users Fee ☒ Specify type Sewer rate increases – 10%/year for 3 years.

Dedicated Tax _____ Specify type _____

Other Fee, Levy or Tax _____ Specify type _____

SCIP/LTIP PROGRAM
ROUND 19 - PROGRAM YEAR 2005
PROJECT SELECTION CRITERIA
JULY 1, 2005 TO JUNE 30, 2006

NAME OF APPLICANT: CITY OF HARRISON
NAME OF PROJECT: STATE ST / CAMPBELL ROAD SANITARY SEWER IMPROVEMENT
RATING TEAM: 3

NOTE: See the attached "Addendum To The Rating System" for definitions, explanations and clarifications to each of the criterion points of this rating system. All changes to the Rating System are italicized.

CIRCLE THE APPROPRIATE RATING

- 1) What is the physical condition of the existing infrastructure that is to be replaced or repaired?

25 - Failed
☒ 20 - Critical
20 - Very Poor
17 - Poor
15 - Moderately Poor
10 - Moderately Fair
5 - Fair Condition
0 - Good or Better

BAIRG PROBLEM IN TOTAL
LIFT STATIONS NOT FUNCTIONAL
ADEQUATE: BEN ELIMINATE

Appeal Score _____

- 2) How important is the project to the safety of the Public and the citizens of the District and/or service area?

25 - Highly significant importance
20 - Considerably significant importance
15 - Moderate importance
10 - Minimal importance
5 - Poorly documented importance
0 - No measurable impact

ELIMINATION OF
ELECTRIC BENCH TOP

Appeal Score _____

- 3) How important is the project to the health of the Public and the citizens of the District and/or service area?

25 - Highly significant importance
20 - Considerably significant importance
15 - Moderate importance
10 - Minimal importance
☒ 5 - Poorly documented importance
0 - No measurable impact

MENTIONS PERIODIC
BASIN MAY FLOODING
BUT NOT DOCUMENTED
GOOD POSSIBILITY

Appeal Score _____

- 4) Does the project help meet the infrastructure repair and replacement needs of the applying jurisdiction?
Note: Jurisdiction's priority listing (part of the Additional Support Information) must be filed with application(s).

25 - First priority project
☒ 20 - Second priority project
15 - Third priority project
10 - Fourth priority project
5 - Fifth priority project or lower

? BOWEN AM #1
SMT

Appeal Score _____

- 5) Will the completed project generate user fees or assessments?
- 10 - No
 0 - Yes
- Appeal Score*

- 6) Economic Growth - How the completed project will enhance economic growth (See definitions).
- 10 - The project will directly secure new employment
 5 - The project will permit more development
 0 - The project will not impact development
- Appeal Score*

- 7) Matching Funds - LOCAL
- 10 - This project is a loan or credit enhancement
 10 - 50% or higher
 8 - 40% to 49.99%
 6 - 30% to 39.99%
 4 - 20% to 29.99%
 2 - 10% to 19.99%
 0 - Less than 10%
- 8) Matching Funds - OTHER
- 10 - 50% or higher
 8 - 40% to 49.99%
 6 - 30% to 39.99%
 4 - 20% to 29.99%
 2 - 10% to 19.99%
 1 - 1% to 9.99%
 0 - Less than 1%
- 9) Will the project alleviate serious capacity problems or hazards or respond to the future level of service needs of the district?
 (See Addendum for definitions)
- 10 - Project design is for future demand.
 8 - Project design is for partial future demand.
 6 - Project design is for current demand.
 4 - Project design is for minimal increase in capacity.
 2 - Project design is for no increase in capacity.
- Appeal Score*

- 10) Ability to Proceed - If SCIP/LTIP funds are granted, when would the construction contract be awarded? (See Addendum concerning delinquent projects)
- 5 - Will be under contract by December 31, 2005 and no delinquent projects in Rounds 16 & 17
 3 - Will be under contract by March 31, 2006 and/or one delinquent project in Rounds 16 & 17
 0 - Will not be under contract by March 31, 2006 and/or more than one delinquent project in Rounds 16 & 17
- 11) Does the infrastructure have regional impact? Consider origination and destination of traffic, functional classifications, size of service area, and number of jurisdictions served, etc. (See Addendum for definitions)
- 10 - Major Impact
 8 - Significant Impact
 6 - Moderate Impact
 4 - Minor Impact
 2 - Minimal or No Impact
- Appeal Score*

ADDENDUM TO THE RATING SYSTEM

General Statement for Rating Criteria

Points awarded for all items will be based on engineering experience, field verification, application information and other information supplied by the applicant, which is deemed to be relevant by the Support Staff. The examples listed in this addendum are not a complete list, but only a small sampling of situations that may be relevant to a given project.

Criterion 1 - Condition

Condition is based on the amount of deterioration that is field verified or documented exclusive of capacity, serviceability, health and/or safety issues. Condition is rated only on the facility being repaired or abandoned. (Documentation may include: ODOT BR86 reports, pavement management condition reports, televised underground system reports, age inventory reports, maintenance records, etc., and will only be considered if included in the original application.)

Definitions:

Failed Condition - requires complete reconstruction where no part of the existing facility is salvageable. (E.g. Roads: complete reconstruction of roadway, curbs and base; Bridges: complete removal and replacement of bridge; Underground: removal and replacement of an underground drainage or water system.

Critical Condition - requires moderate or partial reconstruction to maintain integrity. (E.g. Roads: reconstruction of roadway/curbs can be saved; Bridges: removal and replacement of bridge with abutment modification; Underground: removal and replacement of part of an underground drainage or water system.

Very Poor Condition - requires extensive rehabilitation to maintain integrity. (E.g. Roads: extensive full depth, partial depth and curb repair of a roadway with a structural overlay; Bridges: superstructure replacement; Underground: repair of joints and/or minor replacement of pipe sections.

Poor Condition - requires standard rehabilitation to maintain integrity. (E.g. Roads: moderate full depth, partial depth and curb repair to a roadway with no structural overlay needed or structural overlay with minor repairs to a roadway needed; Bridges: extensive patching of substructure and replacement of deck; Underground: insituform or other in ground repairs.

Moderately Poor Condition - requires minor rehabilitation to maintain integrity. (E.g. Roads: minor full depth, partial depth or curb repairs to a roadway with either a thin overlay or no overlay needed; Bridges: major structural patching and/or major deck repair.

Moderately Fair Condition - requires extensive maintenance to maintain integrity. (E.g. Roads: thin or no overlay with extensive crack sealing, minor partial depth and/or slurry or rejuvenation; Bridges: minor structural patching, deck repair, erosion control.)

Fair Condition - requires routine maintenance to maintain integrity. (E.g. Roads: slurry seal, rejuvenation or routine crack sealing to the roadway; Bridges: minor structural patching.)

Good or Better Condition - little to no maintenance required to maintain integrity.

Note: If the infrastructure is in "good" or better condition, it will **NOT** be considered for SCIP/LTIP funding unless it is an expansion project that will improve serviceability.

Criterion 2 – Safety

The jurisdiction shall include in its application the type, frequency, and severity of the safety problem that currently exists and how the intended project would improve the situation. For example, have there been vehicular accidents attributable to the problems cited? Have they involved injuries or fatalities? In the case of water systems, are existing hydrants non-functional? In the case of water lines, is the present capacity inadequate to provide volumes or pressure for adequate fire protection? In all cases, specific documentation is required. Mentioned problems, which are poorly documented, shall not receive more than 5 points.

Note: Each project is looked at on an individual basis to determine if any aspects of this category apply. Examples given above are **NOT** intended to be exclusive.

Criterion 3 – Health

The jurisdiction shall include in its application the type, frequency, and severity of the health problem that would be eliminated or reduced by the intended project. For example, can the problem be eliminated only by the project, or would routine maintenance be satisfactory? If basement flooding has occurred, was it storm water or sanitary flow? What complaints if any are recorded? In the case of underground improvements, how will they improve health if they are storm sewers? How would improved sanitary sewers improve health or reduce health risk? Are leaded joints involved in existing water line replacements? In all cases, specific documentation is required. Mentioned problems, which are poorly documented, shall not receive more than 5 points.

Note: Each project is looked at on an individual basis to determine if any aspects of this category apply. Examples given above are **NOT** intended to be exclusive.

Criterion 4 – Jurisdiction’s Priority Listing

The jurisdiction **must** submit a listing in priority order of the projects for which it is applying. Points will be awarded on the basis of most to least importance. The form is included in the Additional Support Information.

Criterion 5 – Generate Fees

Will the local jurisdiction assess fees or project costs for the usage of the facility or its products once the project is completed (example: rates for water or sewer, frontage assessments, etc.). The applying jurisdiction must submit documentation.

Criterion 6 – Economic Growth

Will the completed project enhance economic growth and/or development in the service area?

Definitions:

Secure new employment: The project is specifically designed to secure development/employers, which will immediately add new permanent employees to the jurisdiction. The applying agency must submit details.

Permit more development: The project is designed to permit additional business development. The applicant must supply details.

The project will not impact development: The project will have no impact on business development.

Note: Each project is looked at on an individual basis to determine if any aspects of this category apply.

Criterion 7 – Matching Funds - Local

The percentage of matching funds which come directly from the budget of the applying local government.

Criterion 8 – Matching Funds - Other

The percentage of matching funds that come from funding sources other than those mentioned in Criterion 7.

Criterion 9 – Alleviate Capacity Problems

The jurisdiction shall provide a narrative, along with pertinent support documentation, which describe the existing deficiencies and showing how congestion will be reduced or eliminated and how service will be improved to meet the needs of any expected growth or development. A formal capacity analysis accompanying the application would be beneficial. Projected traffic or demand should be calculated as follows:

Formula:

$$\text{Existing users} \times \text{design year factor} = \text{projected users}$$

Design Year	Design year factor		
	Urban	Suburban	Rural
20	1.40	1.70	1.60
10	1.20	1.35	1.30

Definitions:

Future demand – Project will eliminate existing congestion or deficiencies and will provide sufficient capacity or service for twenty-year projected demand or fully developed area conditions. Justification must be supplied if the area is already largely developed or undevelopable and thus the projection factors used deviate from the above table.

Partial future demand – Project will eliminate existing congestion or deficiencies and will provide sufficient capacity or service for ten-year projected demand or partially developed area conditions. Justification must be supplied if the area is already largely developed or undevelopable and thus the projection factors used deviate from the above table.

Current demand – Project will eliminate existing congestion or deficiencies and will provide sufficient capacity or service only for existing demand and conditions.

Minimal increase – Project will reduce but not eliminate existing congestion or deficiencies and will provide a minimal but less than sufficient increase in existing capacity or service for existing demand and conditions.

No increase – Project will have no effect on existing congestion or deficiencies and provide no increase in capacity or service for existing demand and conditions.

Criterion 10 - Ability to Proceed

The Support Staff will assign points based on engineering experience and status of design plans as demonstrated by the applying jurisdiction and OPWC defined delinquent projects. A project is considered delinquent when it has not received a notice to proceed within the time stated on the original application and no time extension has been granted by the OPWC. A jurisdiction receiving approval for a project and subsequently canceling the same after the bid date on the application may be considered as having a delinquent project.

Criterion 11 - Regional Impact

The regional significance of the infrastructure that is being repaired or replaced.

Definitions:

Major Impact – Roads: Major Arterial: A direct connector to an Interstate Highway; Arterials are intended to provide a greater degree of mobility rather than land access. Arterials generally convey large traffic volumes for distances greater than one mile. A major arterial is a highway that is of regional importance and is intended to serve beyond the county. It may connect urban centers with one another and/or with outlying communities and employment or shopping centers. A major arterial is intended primarily to serve through traffic.

Significant Impact – Roads: Minor Arterial: A roadway, also serving through traffic, that is similar in function to a major arterial, but operates with lower traffic volumes, serves trips of shorter distances (but still greater than one mile), and may provide a higher degree of property access than do major arterials.

Moderate Impact – Roads: Major Collector: A roadway that provides for traffic movement between local roads/streets and arterials or community-wide activity centers and carries moderate traffic volumes over moderate distances (generally less than one mile). Major collectors may also provide direct access to abutting properties, such as regional shopping centers, large industrial parks, major subdivisions and community-wide recreational facilities, but typically not individual residences. Most major collectors are also county roads and are therefore through streets.

Minor Impact – Roads: Minor Collector: A roadway similar in functions to a major collector but which carries lower traffic volumes over shorter distances and has a higher degree of property access. Minor collectors may serve as main circulation streets within large, residential neighborhoods. Most minor collectors are also township roads and streets and may, or may not, be through streets.

Minimal or No Impact – Roads: Local: A roadway that is primarily intended to provide access to abutting properties. It tends to accommodate lower traffic volumes, serves short trips (generally within neighborhoods), and provides connections preferably only to collector streets rather than arterials.

Criterion 12 – Economic Health

The District 2 Integrating Committee predetermines the jurisdiction's economic health. The economic health of a jurisdiction may periodically be adjusted when census and other budgetary data are updated.

Criterion 13 - Ban

The jurisdiction shall provide documentation to show that a facility ban or moratorium has been formally placed. The ban or moratorium must have been caused by a structural or operational problem. Points will only be awarded if the end result of the project will cause the ban to be lifted.

Criterion 14 - Users

The applying jurisdiction shall provide documentation. A registered professional engineer or the applying jurisdictions' C.E.O must certify the appropriate documentation. Documentation may include current traffic counts, households served, when converted to a measurement of persons. Public transit users are permitted to be counted for the roads and bridges, but only when certifiable ridership figures are provided.

Criterion 15 – Fees, Levies, Etc.

The applying jurisdiction shall document (in the "Additional Support Information" form) which type of fees, levies or taxes they have dedicated toward the type of infrastructure being applied for.

VISIT OUR WEBSITE AT:

<http://www.hamilton-co.org/engineer/SCIP/ltip.htm>